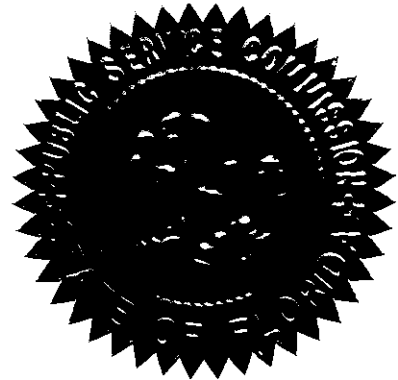


BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080253-EM

In the Matter of:

PETITION TO DETERMINE NEED FOR CANE  
ISLAND POWER PARK UNIT 4 ELECTRICAL  
POWER PLANT IN OSCEOLA COUNTY, BY  
FLORIDA MUNICIPAL POWER AGENCY.



PROCEEDINGS: PREHEARING

BEFORE: COMMISSIONER NANCY ARGENZIANO  
PREHEARING OFFICER

DATE: Monday, July 21, 2008

TIME: Commenced at 9:32 a.m.  
Concluded at 9:35 a.m.

PLACE: Betty Easley Conference Center  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR  
Chief, Office of Hearing Reporter Services  
FPSC Division of Commission Clerk and  
Administrative Services  
(850) 413-6732

DOCUMENT NUMBER-DATE

FLORIDA PUBLIC SERVICE COMMISSION

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FPSC-COMMISSION CLERK

## 1 APPEARANCES:

2 GARY V. PERKO, ESQUIRE, Hopping Law Firm, Post Office  
3 Box 6526, Tallahassee, Florida 32314, and FREDERICK M. BRYANT,  
4 GENERAL COUNSEL for FMPA, representing Florida Municipal Power  
5 Agency.

6 KATHERINE FLEMING, ESQUIRE and ERIC SAYLER, ESQUIRE,  
7 FPSC General Counsel's Office, 2540 Shumard Oak Boulevard,  
8 Tallahassee, Florida 32399-0850, appearing on behalf of the  
9 Florida Public Service Commission Staff.

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## P R O C E E D I N G S

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**COMMISSIONER ARGENZIANO:** Call the prehearing to order.

Staff, could you read the notice.

**MS. FLEMING:** Pursuant to notice issued by the Commission Clerk, this time and place has been set for a prehearing conference in Docket Number 080253-EI.

**COMMISSIONER ARGENZIANO:** Thank you. Let's take appearances.

**MR. PERKO:** Good morning, Commissioner. Gary Perko on behalf of Florida Municipal Power Agency. And with me is Mr. Frederick Bryant, General Counsel with FMPA.

**COMMISSIONER ARGENZIANO:** Good morning.

**MS. FLEMING:** And I would like to enter an appearance for Katherine Fleming and Eric Sayler on behalf of the Commission staff.

**COMMISSIONER ARGENZIANO:** Thank you.

Are there any preliminary matters we need to address before we get to the draft?

**MS. FLEMING:** Commissioner, I'm not aware of any preliminary matters at this time.

**COMMISSIONER ARGENZIANO:** Okay. Then let's just proceed.

Staff.

**MS. FLEMING:** Staff would note for the record that

1 there is agreement as to all sections of the prehearing order.  
2 Staff would just like to note that FMPA and staff are currently  
3 in discussions with respect to stipulations. There are  
4 potential proposed stipulations on all issues. We will be  
5 meeting after the prehearing conference to iron those out.

6 With respect to the proposed stipulations, we hope to  
7 reflect that in the final prehearing order that gets issued, so  
8 we will work with the party expeditiously to reflect that in  
9 the final prehearing order.

10 To that end, as far as the witnesses identified on  
11 Page 3 of the prehearing order, to the extent that there are  
12 proposed stipulations on all issues, all witnesses may  
13 potentially be stipulated, as well. We will check with all the  
14 Commissioners to make sure that there are no questions, and if  
15 none of the Commissioners have questions, then those witnesses  
16 may be excused.

17 We would also like to note that staff will prepare an  
18 exhibit list which will include all the prefiled exhibits as  
19 well as a staff proposed stipulated exhibit that we will  
20 prepare and provide to the parties prior to the hearing.

21 We would like to note that there is one pending  
22 confidentiality matter which will be addressed by separate  
23 order.

24 And as far as any rulings, staff would suggest that  
25 opening statements, if any, be limited to ten minutes.

1                   **COMMISSIONER ARGENZIANO:** So ordered.

2                   Any comment?

3                   **MR. PERKO:** No.

4                   **COMMISSIONER ARGENZIANO:** Then make it so.

5                   **MS. FLEMING:** Will do.

6                   **COMMISSIONER ARGENZIANO:** Any other matters?

7                   **MS. FLEMING:** I'm not aware of any other matters at  
8 this time, Commissioner.

9                   **COMMISSIONER ARGENZIANO:** We're all good to go?

10                  **MR. PERKO:** We're good.

11                  **COMMISSIONER ARGENZIANO:** Okay. In that case we are  
12 adjourned. Thank you.

13                  (The prehearing concluded at 9:35 a.m.)

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STATE OF FLORIDA )

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CERTIFICATE OF REPORTER

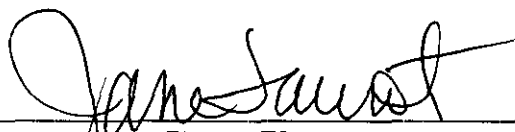
COUNTY OF LEON )

I, JANE FAUROT, RPR, Chief, Hearing Reporter Services Section, FPSC Division of Commission Clerk, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 24th day of July, 2008.

  
\_\_\_\_\_  
JANE FAUROT, RPR  
Official FPSC Hearings Reporter  
(850) 413-6732