

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 160003-GU

PURCHASED GAS ADJUSTMENT (PGA)  
TRUE-UP.

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PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONER  
PARTICIPATING: COMMISSIONER ART GRAHAM  
PREHEARING OFFICER

DATE: Tuesday, October 11, 2016

TIME: Commenced at 1:08 p.m.  
Concluded at 1:12 p.m.

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

REPORTED BY: LINDA BOLES, CRR, RPR  
Official FPSC Reporter  
(850) 413-6734

## 1 APPEARANCES:

2 BETH KEATING and GREGORY MUNSON, ESQUIRES,  
3 Gunster Law Firm, 215 South Monroe Street, Suite 601,  
4 Tallahassee, Florida 32301-1839, appearing on behalf of  
5 Florida Public Utilities, FPUC-Fort Meade, and Florida  
6 City Gas.

7 J.R. KELLY, PUBLIC COUNSEL, CHARLES REHWINKEL,  
8 ERIK L. SAYLER, PATRICIA A. CHRISTENSEN, and STEPHANIE  
9 MORRIS, ESQUIRES, Office of Public Counsel, c/o the  
10 Florida Legislature, 111 W. Madison Street, Room 812,  
11 Tallahassee, Florida 32399-1400, appearing on behalf of  
12 the Citizens of the State of Florida.

13 ANSLEY WATSON, JR. ESQUIRE, Macfarlane  
14 Ferguson & McMullen, P.O. BOX 1531, Tampa, Florida,  
15 33601-1531, appearing on behalf of Peoples Gas System.

16 MARGO LEATHERS and WESLEY TAYLOR, ESQUIRES,  
17 FPSC General Counsel's Office, 2540 Shumard Oak  
18 Boulevard, Tallahassee, Florida 32399-0850, appearing on  
19 behalf of the Florida Public Service Commission Staff.

20 KEITH HETRICK, GENERAL COUNSEL; MARY ANNE  
21 HELTON, DEPUTY GENERAL COUNSEL, Advisor to the Florida  
22 Public Service Commission, 2540 Shumard Oak Boulevard,  
23 Tallahassee, Florida 32399-0850.

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

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2           **MS. TAN:** By notice issued September 27th,  
3 2016, this time and place was set for a prehearing in  
4 the following dockets: 160001-EI, 160002-EG, 160003-GU,  
5 160004-GU, and 160007-EI. The purpose of the prehearing  
6 is set out in the notice.

7           **COMMISSIONER GRAHAM:** Thank you. Staff.  
8 We're going to take appearances, and if I could have  
9 you, when you give your names or give your company, you  
10 don't have to do it each individual, but when you give  
11 the company and the names, also give the dockets that  
12 you're being a part of all at one time. And I guess we  
13 can start right up here with Florida Power & Light.

14           **MR. BUTLER:** Thank you, Commissioner Graham.  
15 For the 01 docket I have R. Wade Litchfield, John  
16 Butler, and Maria Moncada. We also would be making  
17 appearances in Docket 160007, the ECRC. And then for  
18 the 02 docket, R. Wade Litchfield, John Butler, and  
19 Kenneth Rubin. Thank you.

20           **MR. BADDERS:** Good afternoon. Russell Badders  
21 on behalf of Gulf Power. I'll be appearing in 01 and  
22 02 and 07 dockets along with Steven R. Griffin and  
23 Jeffrey A. Stone.

24           **COMMISSIONER GRAHAM:** Okay.

25           **MR. BEASLEY:** Good afternoon. James D.

1 Beasley with the Ausley McMullen law firm. Appearing  
2 with me are J. Jeffry Wahlen and Ashley M. Daniels of  
3 the same firm in the 01, 02, and 07 dockets.

4 **MR. WATSON:** Ansley Watson, Jr., Macfarlane,  
5 Ferguson & McMullen in the 03 and 04 dockets.

6 **MS. KEATING:** Good afternoon, Commissioner.  
7 Beth Keating with the Gunster law firm. I'm here today  
8 for FPUC in the 01, 02, 03, and 04 dockets; FPU-Fort  
9 Meade in the 03 docket; and Fort Meade, the Indiantown  
10 Division, and Chesapeake in the 04 docket.

11 **COMMISSIONER GRAHAM:** Okay.

12 **MR. MUNSON:** Good afternoon, Commissioner. My  
13 name is Greg Munson also with the Gunster law firm on  
14 behalf of Florida City Gas in dockets 03 and 04.

15 **MR. BREW:** Good afternoon, Commissioner.  
16 James Brew with the firm of Stone, Mattheis, Xenopoulos  
17 & Brew appearing in the 01, 02, and 07 dockets for White  
18 Springs Agricultural Chemicals/PCS Phosphate.

19 **MR. WRIGHT:** Good afternoon, Commissioner.  
20 Robert Scheffel Wright and John T. Lavia, III, of the  
21 Gardner law firm appearing on behalf of the Florida  
22 Retail Federation in Docket 160001, the fuel docket.  
23 Thank you.

24 **MR. MOYLE:** Good afternoon. Jon Moyle with  
25 the Moyle Law Firm appearing on behalf of the Florida

1 Industrial Power Users Group in the 01, 02, and  
2 07 dockets. And Karen Putnal with the firm should also  
3 be noted as entering an appearance. Thank you.

4 **MS. CHRISTENSEN:** Patricia Christensen with  
5 the Office of Public Counsel. And I'd also like to put  
6 in an appearance for J. R. Kelly, Public Counsel;  
7 Charles Rehwinkel; and Erik Sayler with the Office of  
8 Public Counsel in the 01, 02, 03, 04, and 07 dockets.

9 **MS. LEITMAN:** Melanie Leitman appearing on  
10 behalf of my co-counsel, Paula Sparkman, out of Messer,  
11 Caparello representing Sebring Gas of the 04 docket.

12 **MR. BERNIER:** Good afternoon, Commissioner.  
13 Matt Bernier with Duke Energy and entering an appearance  
14 in the 01, 02, and 07 dockets. And I'd like to enter an  
15 appearance for Dianne Triplett in those same dockets and  
16 for John Burnett in the 01 docket. Thank you.

17 **COMMISSIONER GRAHAM:** Anybody else before I go  
18 to staff for appearances?

19 **MS. CHRISTENSEN:** Can I also add -- this is  
20 Patty Christensen with the Office of Public Counsel --  
21 an appearance for Stephanie Morris in all of the dockets  
22 as well.

23 **COMMISSIONER GRAHAM:** Anybody else before I go  
24 to staff?

25 Staff.

1           **MS. TAN:** Lee Eng Tan on behalf of the  
2 02 docket, and making an appearance for Stephanie Cuello  
3 in the 02 and 04 docket, and Margo Leathers and Wesley  
4 Taylor in the 03 docket, Kelley Corbari in the 04  
5 docket, Bianca Lherisson and Charlie Murphy in the 07  
6 docket, and Danijela Janjic and Suzanne Brownless in the  
7 01 docket.

8           **MS. HELTON:** And finally, Mary Anne Helton.  
9 I'm here as your advisor. I'd also like to make an  
10 appearance for your General Counsel, Keith Hetrick.

11                           \* \* \* \* \*

12           **COMMISSIONER GRAHAM:** Preliminary matters.  
13 Staff, are there any preliminary matters?

14           **MS. LEATHERS:** Yes, Commissioner. Staff will  
15 note for the record that St. Joe Natural Gas Company has  
16 been excused from the prehearing in the 03 docket. Also  
17 if stipulations can be reached in the next few days, the  
18 prehearing order will need to be modified to reflect  
19 such agreements. And if such agreements are reached,  
20 staff proposes to circulate an amended draft before an  
21 order is issued.

22           **COMMISSIONER GRAHAM:** And no other preliminary  
23 matters.

24           **MS. LEATHERS:** No, Commissioner.

25           **COMMISSIONER GRAHAM:** Does anybody have any

1 questions on what staff just said or have any other  
2 preliminary matters?

3 Okay. Let's proceed once again through the  
4 draft prehearing order. Once again, I'll go through  
5 pretty quickly, so get my attention if you find a  
6 section that you need to speak about or ask questions  
7 about.

8 Section I, Section II, Section III, Section  
9 IV, Section V, Section VI. Staff.

10 **MS. LEATHERS:** Yes, Commissioner. Staff is  
11 hopeful that all issues with the parties can be  
12 stipulated and witnesses excused in this docket, and  
13 staff will continue to work towards that end.

14 **COMMISSIONER GRAHAM:** Okay. Section VII,  
15 Section VIII. Staff.

16 **MS. LEATHERS:** Commissioner, staff notes that  
17 the Order Establishing Procedure requires that a party  
18 take a position at the prehearing conference unless good  
19 cause is shown as to why that party cannot take a  
20 position at this time. Accordingly, if a party's  
21 position in the draft prehearing order is currently "No  
22 position at this time," that party must change its  
23 position or show good cause why it cannot take a  
24 position. And staff will also suggest that the parties  
25 who have heretofore not taken a position or wish to

1 change their position be allowed to submit their  
2 position in writing. We had suggested no later than  
3 noon tomorrow; however, in the 02 docket you have  
4 ordered close of business by tomorrow, October 12th. If  
5 a party fails to take a position by that time, the  
6 prehearing order will reflect no position for that party  
7 for such issues.

8 **COMMISSIONER GRAHAM:** I think we'll do it  
9 consistent with the 02 and go with the end of business  
10 tomorrow.

11 Any questions on Section VIII, concerns with  
12 what staff just added? Section XIV, staff.

13 **MS. LEATHERS:** Yes, Commissioner. Staff would  
14 note that it has prepared a draft Comprehensive Exhibit  
15 List, which includes all prefiled exhibits. Staff will  
16 circulate this and check with the parties prior to the  
17 hearing to determine if there are any objections to the  
18 Comprehensive Exhibit List.

19 **COMMISSIONER GRAHAM:** Okay. Let's go on to  
20 X, staff.

21 **MS. LEATHERS:** There are no proposed  
22 stipulations at this time, but staff is hopeful that  
23 stipulations can be reached on all issues, and staff  
24 will continue working towards this end.

25 **COMMISSIONER GRAHAM:** Okay. Let's go on

1 to XI.

2 **MS. LEATHERS:** There are no pending motions.

3 **COMMISSIONER GRAHAM:** XII.

4 **MS. LEATHERS:** There are no pending  
5 confidentiality requests.

6 **COMMISSIONER GRAHAM:** And XIII.

7 **MS. LEATHERS:** If issues are stipulated and  
8 parties agree to waive briefs, the Commission may make a  
9 bench decision for this portion of the docket. If there  
10 are any issues to be briefed, staff recommends  
11 post-hearing briefs be no longer than 20 pages. And if  
12 there are briefs, they will be due on November 14th,  
13 2016.

14 **COMMISSIONER GRAHAM:** Are all parties in  
15 agreement with this? Okay. Sounds good. I'm getting a  
16 lot of head nods, so I assume nobody has got any  
17 concerns with that.

18 Let's go on to XIV. Opening statements, once  
19 again, as I mentioned before, will be three minutes, and  
20 the briefs are going to be limited to 20 pages. Staff.

21 **MS. LEATHERS:** And, Commissioner, staff will  
22 just note again that St. Joe Natural Gas Company's  
23 excusal from the prehearing in this docket will be  
24 included in the draft prehearing order.

25 **COMMISSIONER GRAHAM:** Okay. Other matters.

1 Are there any other "other matters" -- any other "other  
2 matters" -- to go before this docket, which is the  
3 03 docket? Seeing none, we're going to adjourn the  
4 03 docket and move to the 04 docket.

5 (Prehearing conferenced adjourned at 1:12  
6 p.m.)

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1 STATE OF FLORIDA )  
 : CERTIFICATE OF REPORTER  
2 COUNTY OF LEON )

3  
4 I, LINDA BOLES, CRR, RPR, Official Commission  
Reporter, do hereby certify that the foregoing  
5 proceeding was heard at the time and place herein  
stated.

6  
7 IT IS FURTHER CERTIFIED that I  
stenographically reported the said proceedings; that the  
8 same has been transcribed under my direct supervision;  
and that this transcript constitutes a true  
transcription of my notes of said proceedings.

9  
10 I FURTHER CERTIFY that I am not a relative,  
employee, attorney or counsel of any of the parties, nor  
11 am I a relative or employee of any of the parties'  
attorney or counsel connected with the action, nor am I  
12 financially interested in the action.

13 DATED THIS 12th day of October, 2016.

14  
15 LINDA BOLES

16 LINDA BOLES, CRR, RPR  
17 FPSC Official Hearings Reporter  
(850) 413-6734