

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 160004-GU

NATURAL GAS CONSERVATION COST
RECOVERY.

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PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONER
PARTICIPATING: COMMISSIONER ART GRAHAM
PREHEARING OFFICER

DATE: Tuesday, October 11, 2016

TIME: Commenced at 1:12 p.m.
Concluded at 1:16 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,
6 FPUC-Indiantown, Chesapeake, and Florida City Gas.

7 J.R. KELLY, PUBLIC COUNSEL, CHARLES REHWINKEL,
8 ERIK SAYLER, PATRICIA CHRISTENSEN, and STEPHANIE MORRIS,
9 ESQUIRES, Office of Public Counsel, c/o the Florida
10 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 MELANIE LEITMAN and PAULA M SPARKMAN,
17 ESQUIRES, Messer Law Firm, P.O. Box 15579, Tallahassee,
18 Florida 32317, appearing on behalf of Sebring Gas
19 System, Inc.

20 STEPHANIE CUELLO and KELLY CORBARI, ESQUIRES,
21 FPSC General Counsel's Office, 2540 Shumard Oak
22 Boulevard, Tallahassee, Florida 32399-0850, appearing on
23 behalf of the Florida Public Service Commission Staff.

1 APPEARANCES:

2 KEITH HETRICK, GENERAL COUNSEL; MARY ANNE
3 HELTON, DEPUTY GENERAL COUNSEL, Advisor to the Florida
4 Public Service Commission, 2540 Shumard Oak Boulevard,
5 Tallahassee, Florida 32399-0850.

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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.

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12 **COMMISSIONER GRAHAM:** Okay. 04, preliminary
13 matters. Staff.

14 **MS. CUELLO:** Yes, Commissioner. Staff will
15 note for the record that St. Joe Natural Gas Company has
16 been excused from the prehearing and hearing in the 04
17 dockets, and there are no other preliminary matters that
18 staff is aware of.

19 **COMMISSIONER GRAHAM:** Any other preliminary
20 matters?

21 Okay. Once again we'll go through the
22 prehearing order. Section I, Section II, Section III,
23 Section IV, Section V, Section VI. Staff?

24 **MS. CUELLO:** Looking at the positions the
25 parties have taken in this docket, staff is hopeful that

1 a stipulation can be reached, and staff will continue to
2 work towards this end.

3 **COMMISSIONER GRAHAM:** Okay. On to Section
4 VII, Section VIII. Staff.

5 **MS. CUELLO:** Staff will note that the Order
6 Establishing Procedure requires that a party take a
7 position at the prehearing conference unless good cause
8 is shown as to why that party cannot take a position at
9 this time. Accordingly, if a party's position in the
10 draft prehearing order is currently "No position at this
11 time," that party must change its position or show good
12 cause why it cannot take a position.

13 Staff will also suggest that the parties who
14 have heretofore not taken a position or wish to change
15 their position be allowed to submit their position in
16 writing no later than close of business tomorrow,
17 October 12th. If a party fails to take a position by
18 that time, their prehearing order will reflect no
19 position for that party for such issues.

20 **COMMISSIONER GRAHAM:** Anything else on VIII?
21 Let's go to IX, staff.

22 **MS. CUELLO:** Staff will note that it has
23 prepared a draft Comprehensive Exhibit List which
24 includes all prefiled exhibits and includes those
25 exhibits staff wishes to include in the record. Staff

1 has copies of the draft list to circulate and determine
2 if there are any objections to the draft Comprehensive
3 Exhibit List or any of staff's exhibits being entered
4 into the record.

5 **COMMISSIONER GRAHAM:** Nothing else on IX?
6 Let's go to X.

7 **MS. CUELLO:** Florida City Gas and Sebring Gas
8 Systems propose to stipulate to the issues and witnesses
9 as they relate to City Gas and Sebring and, barring no
10 objection, requests that its witnesses be excused.
11 There are no other proposed stipulations at this time;
12 however, staff believes proposed stipulations will be
13 reached on all issues.

14 **COMMISSIONER GRAHAM:** Seeing nothing else for
15 Section X, Section XI, pending motions. Staff.

16 **MS. CUELLO:** There are no pending motions.

17 **COMMISSIONER GRAHAM:** Section XII.

18 **MS. CUELLO:** There are no pending
19 confidentiality motions.

20 **COMMISSIONER GRAHAM:** And Section XIII.

21 **MS. CUELLO:** If the issues are stipulated and
22 the parties agree to waive briefs, the Commission may
23 make a bench decision for this portion of the docket.
24 If there are any issues to be briefed, the staff
25 recommends post-hearing briefs be no longer than 40

1 pages.

2 **COMMISSIONER GRAHAM:** Is everybody in
3 agreement with this? Okay. I see a lot of nodding
4 heads again. Rulings, once again, three minutes.
5 Briefs are 40 pages. Other matters. Are there any
6 other matters?

7 **MS. CUELLO:** I would just like to make a
8 comment under the post-hearing procedures. If there are
9 any briefs, they will be due November 14th.

10 **COMMISSIONER GRAHAM:** Any other matters?

11 **MS. CUELLO:** There are no other matters to
12 address.

13 **COMMISSIONER GRAHAM:** Okay. Then we will
14 adjourn the 04 docket and move to the 07 docket.

15 (Proceeding adjourned at 1:16 p.m.)
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1 STATE OF FLORIDA)
2 COUNTY OF LEON) : CERTIFICATE OF REPORTER

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

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

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

18 DATED THIS 12th day of October, 2016.

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LINDA BOLES

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