

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Florida City  
Gas

DOCKET NO. 20170179-GU  
ORDER NO. PSC-2017-0461-PCO-GU  
ISSUED: December 5, 2017

FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE  
GRANTING IN PART AND DENYING IN PART THE JOINT MOTION TO MODIFY KEY  
ACTIVITY DATES AND DISCOVERY PROCEDURES ESTABLISHED BY ORDER NO.  
PSC-2017-0427-PCO-GU

Florida City Gas (FCG) operates as a natural gas utility that serves approximately 108,000 customers in the southeastern portions of Florida, including Miami-Dade, Broward, Palm Beach, Brevard, Indian River, St. Lucie, Martin and Hendry counties. FCG filed its Minimum Filing Requirements (MFRs) requesting an increase in base rates on October 23, 2017. By Order No. PSC-2017-0427-PCO-GU, issued on November 7, 2017 this docket was scheduled for hearing from March 26-30, 2018.

On November 16, 2017, the Office of Public Counsel (OPC) and FCG filed a Joint Motion to Modify Key Activity Dates and Discovery Procedures. In the Motion, the parties contend that due to the complexity and volume of information at issue in this case, additional time is needed for certain prehearing activities. The parties have requested that the due dates related to filing intervenor and rebuttal testimony and exhibits, prehearing statements and discovery be extended. FCG and OPC are also requesting that the current 20-day time limit within which a party should respond to pre-rebuttal discovery be expanded to 30 days.

Having reviewed OPC's Motion, it appears that the hearing schedule in this docket can be modified without causing undue prejudice to the parties, staff or Commission. However, as set forth below, I have granted in part and denied in part the specific dates requested, finding that the revised dates set below should afford sufficient additional time for the parties, without unfairly compressing the time needed to process this case. I have also granted a 5-day extension to the turnaround time for pre-rebuttal discovery, for a total of 25 days. Rebuttal discovery remains unchanged and shall continue to be served within 10 days of receipt. The controlling dates are hereby modified as follows:

|      |  | <b>Current Date</b> | <b>Date Requested<br/>in Joint Motion</b> | <b>Modified Date</b> |
|------|--|---------------------|---|----------------------|
| (1)  | Utility's testimony and exhibits       | October 23, 2017    | None                                      | No change            |
| (2)  | Intervenors' testimony and exhibits    | January 22, 2018    | February 12, 2018                         | February 1, 2018     |
| (3)  | Service Hearings                       | January 23-24, 2018 | None                                      | No change            |
| (4)  | Staff's testimony and exhibits, if any | February 1, 2018    | None                                      | February 7, 2018     |
| (5)  | Rebuttal testimony and exhibits        | February 15, 2018   | February 28, 2018                         | February 16, 2018    |
| (6)  | Prehearing Statements                  | March, 1, 2018      | March 5, 2018                             | March 5, 2018        |
| (7)  | Discovery deadline                     | March 9, 2018       | March 16, 2018                            | No change            |
| (8)  | Prehearing Conference                  | March 12, 2018      | None                                      | No change            |
| (9)  | Hearing                                | March 26-30, 2018   | None                                      | No change            |
| (10) | Briefs                                 | April 13, 2018      | None                                      | No charge            |

This Revised Order is issued pursuant to the authority afforded to me by Rule 28-106.211, Florida Administrative Code, which provides that the Presiding Officer before whom a case is pending may issue any orders necessary to effectuate discovery, prevent delay, and promote the just, speedy, and inexpensive determination of all aspects of the case. Order No. PSC-2017-0427-PCO-GU is reaffirmed in all other respects.

It is therefore,

ORDERED by Commissioner Donald J. Polmann, as Prehearing Officer, that Order No. PSC-2017-0427-PCO-GU, issued on November 7, 2018, shall be modified as stated above. It is further

ORDERED that the turnaround time for responding to pre-rebuttal discovery has been extended by 5 days to a total of 25 days. It is further

ORDERED that Order No. PSC-2017-0427-PCO-GU is hereby reaffirmed in all other respects.

By ORDER of Commissioner Donald J. Polmann, as Prehearing Officer, this 5th day  
of December, 2017.



---

DONALD J. POLMANN, Ph.D., P.E.  
Commissioner and Prehearing Officer  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
www.floridapsc.com

Copies furnished: A copy of this document is  
provided to the parties of record at the time of  
issuance and, if applicable, interested persons.

WLT

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.