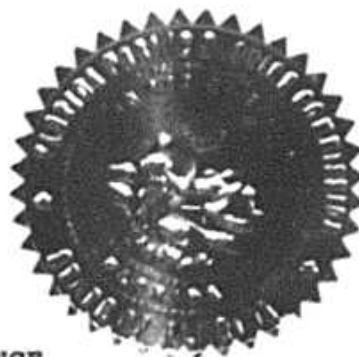


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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of : DOCKET NO. 980003-GU
: :
Purchased gas :
adjustment (PGA) :
true-up. :



PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER SUSAN F. CLARK
Prehearing Officer

DATE: Monday, November 16, 1998

TIME: Commenced at 1:30 p.m.
Concluded at 3:40 p.m.

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

REPORTED BY: H. RUTHE POTAMI, CSR, RPR
Official Commission Reporter

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

1 **APPEARANCES:**

2 **WAYNE L. SCHIEFELBEIM**, Ruden, McClosky,
3 Smith, Schuster & Russell, P.A., 215 South Monroe
4 Street, Suite 815, Tallahassee, Florida 32301,
5 appearing on behalf of **Chesapeake Utilities**
6 **Corporation (CUC)**.

7 **MICHAEL A. PALECKI**, 955 East 25th Street,
8 Hialeah, Florida 33013, appearing on behalf of
9 **NUI/City Gas Company of Florida (CITY GAS)**.

10 **KENNETH A. HOFFMAN**, Rutledge, Ecenia,
11 Underwood, Purnell and Hoffman, P. O. Box 511, 215
12 South Monroe Street, Suite 420, Tallahassee, Florida
13 32302-0551, appearing on behalf of **Florida Public**
14 **Utilities Company (FPUC)**.

15 **DAVID M. NICHOLSON**, Macfarlane, Ferguson and
16 McMullen, P.O. Box 1531, Tampa, Florida 33601,
17 appearing on behalf of **Peoples Gas System (PGS)**.

18 **NORMAN H. HORTON, JR.**, Messer, Caparello, &
19 Self, 215 South Monroe Street, Post Office Box 1876,
20 Tallahassee, Florida 32302-1876, appearing on behalf
21 of **Sebring Gas System, Inc. (SEBRING)** and South
22 **Florida Natural Gas, Florida Division (SFNG)**.

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1 **APPEARANCES CONTINUED:**

2 **JOHN ROGER HOWE**, Deputy Public Counsel,
3 Office of Public Counsel, 111 West Madison Street,
4 Room 812, Tallahassee, Florida 32399-1400, appearing
5 on behalf of the **Citizens of the State of Florida**.

6 **WILLIAM COCHRAN KEATING, IV**, Florida Public
7 Service Commission, Division of Legal Services, 2540
8 Shumard Oak Boulevard, Tallahassee, Florida
9 32399-0870, appearing on behalf of the **Commission**
10 **Staff**.

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P R O C E E D I N G S

(Hearing convened at 1:30 p.m.)

COMMISSIONER CLARK: We'll call the prehearings to order. Counsel, will you please read the notice?

MR. KEATING: Pursuant to notice issued October 19th, 1998, this time and place have been set for a prehearing in the following dockets: Docket No. 980001-EI, fuel and purchased power cost recovery clause and generating performance incentive factor; Docket No. 980002-EG, energy conservation cost recovery clause; Docket No. 980003-GU, purchased gas adjustment true-up; and Docket No. 980007-EI, environmental cost recovery clause.

COMMISSIONER CLARK: We'll take appearances.

MR. WILLIS: I'm Lee L. Willis, appearing together with James D. Beasley, Post Office Box 391, Tallahassee, Florida 32302, appearing together with Harry W. Long, Jr., P.O. Box 111, Tampa, Florida 33601, appearing on behalf of Tampa Electric Company in the 01 and the 07 docket.

MR. PALECKI: Michael Palecki, 955 East 25th Street, Hialeah, Florida 33013, appearing on behalf of City Gas Company of Florida in the 03 docket.

MR. MCGEE: James McGee, Post Office

1 Box 14042, St. Petersburg, 33733, appearing on behalf
2 of Florida Power Corporation in the 01 and 02 dockets.

3 **MR. STONE:** I'm Jeffrey A. Stone, and with
4 me is Russell Badders. We're of the law firm Beggs &
5 Lane. We're representing Gulf Power Company in the
6 01, 02 and 07 dockets.

7 **MR. CHILDS:** Commissioner, my name is
8 Matthew Childs of the firm of Steel Hector & Davis.
9 I'm appearing on behalf of Florida Power & Light
10 Company in the 01 and the 07 docket. I believe
11 Mr. Guyton will be here shortly in the 02 docket.

12 **MR. HORTON:** Norman H. Horton, Jr. of
13 Messer, Caparello & Self, appearing in the 03 on
14 behalf of Sebring Gas System and South Florida Natural
15 Gas.

16 **MR. HOFFMAN:** Commissioner, my name is
17 Kenneth A. Hoffman. My address is Post Office
18 Box 551, Tallahassee, Florida 32302, and I'm appearing
19 on behalf of Florida Public Utilities Company in the
20 01 and 03 dockets.

21 **MR. SHIEFELBEIN:** Wayne Schiefelbein, Ruden
22 McClosky Smith Schuster & Russell. I'm appearing on
23 behalf of Chesapeake Utilities Corporation in the 03
24 docket.

25 **MR. NICHOLSON:** David Nicholson, Post Office

1 Box 1531, appearing on behalf of People's Gas System
2 in the 03 docket.

3 **MR. HOWE:** Commissioner Clark, I'm Roger
4 Howe with the Public Counsel's Office. The address is
5 as shown in the prehearing orders. I'm appearing on
6 behalf of the citizens of the state of Florida in the
7 01, 02, 03 and 07 dockets.

8 **MS. KAUFMAN:** Vicki Gordon Kaufman of the
9 McWhirter Reeves Law Firm, 117 South Gadsden,
10 Tallahassee, Florida 32301. I'm appearing on behalf
11 of the Florida Industrial Power Users Group in the 01,
12 02 and 07 dockets.

13 **MS. PAUGH:** Leslie Paugh on behalf of Staff
14 in the 01 and 07 dockets.

15 **MR. KEATING:** Cochran Keating on behalf of
16 Staff in the 02 and 03 dockets.

17 **COMMISSIONER CLARK:** Anyone else?
18 Mr. Guyton, Mr. Childs has entered your appearance.
19 We're glad you're here.

20 First of all, let me thank everyone for
21 allowing us to move the prehearing conference to this
22 afternoon. I really appreciated it. I'm sorry if it
23 inconvenienced you. I had to take my mother for some
24 tests, and she really appreciated having me there, so
25 thank you all, and she thanks you.

1 Any preliminary matters?

2 **MS. PAUGH:** No preliminary matters, but we
3 do have a recommendation in terms of expeditiousness
4 for the proceeding, what dockets we may wish to
5 consider first; and that would be the 03 docket and
6 then the 02 docket, and the gas folks can then leave
7 if they so desire.

8 **COMMISSIONER CLARK:** 03, 02, then what?

9 **MS. PAUGH:** 01 and 07.

10 **COMMISSIONER CLARK:** Any objection to
11 following that order? (No response.)

12 Seeing none, we'll follow that order. And I
13 need to tell you all that I apologize; I have not had
14 an opportunity to read the prehearing orders and the
15 motions that are pending. It may take us a little
16 longer, but I'm sure we'll get through it.

17 Starting with the 03.

18 **MR. KEATING:** I don't believe there are any
19 preliminary matters, if we want to go through the
20 prehearing order.

21 **COMMISSIONER CLARK:** Okay. No preliminary
22 matters in 03, which is the purchased gas adjustment;
23 is that correct?

24 Okay. Let me just ask this: Rather than
25 going page by page, why don't we start with you,

1 Mr. Palecki. Are there any changes that need to be
2 made on behalf of your client?

3 Do you not have a copy of the order?

4 **MR. PALECKI:** I do now.

5 **COMMISSIONER CLARK:** Do you want a chance to
6 look it over and I'll maybe move down to -- let's see.
7 Who would be next? Mr. Horton.

8 **MR. HORTON:** Yes, ma'am. On behalf of
9 Sebring Gas, on each issue Mr. Melendy should be shown
10 as the witness. And with respect to Issue 5, both
11 Sebring and South Florida would agree with the Staff
12 position. And that's all we would have.

13 Thank you.

14 **COMMISSIONER CLARK:** Did you get that,
15 Staff?

16 **MR. KEATING:** Yes.

17 **COMMISSIONER CLARK:** Mr. Schiefelbein -- I'm
18 sorry. I forget that they have gas as well.
19 Mr. Hoffman?

20 **MR. HOFFMAN:** No changes.

21 **COMMISSIONER CLARK:** Mr. Schiefelbein?

22 **MR. SHIEFELBEIN:** Yes, Commissioner. The
23 only change for Chesapeake would be on Issue 5.
24 Chesapeake would agree with Staff.

25 Thank you.

1 **COMMISSIONER CLARK:** Mr. Nicholson?

2 **MR. NICHOLSON:** No changes.

3 **COMMISSIONER CLARK:** And there are no other
4 issues that we need to take up?

5 **MR. HOWE:** Commissioner Clark?

6 **COMMISSIONER CLARK:** I'm sorry.

7 **MR. HOWE:** That's okay. I just wanted to
8 say, Public Counsel will take no position on Issues 1
9 through 4 and the issue as stated on Issue 5.

10 **COMMISSIONER CLARK:** Okay. Is there anyone
11 else in this docket?

12 Mr. Palecki, back to you.

13 **MR. PALECKI:** City Gas Company of Florida
14 agrees with the prehearing statement. Prehearing
15 order.

16 **MR. KEATING:** And Staff has no changes to
17 its positions.

18 **COMMISSIONER CLARK:** All right. We'll make
19 the changes noted by the parties here.

20 Is this an instance where we're in agreement
21 on every issue or no position has been taken?

22 **MR. KEATING:** Yes.

23 **COMMISSIONER CLARK:** And so next Monday we
24 will simply move all the evidence and testimony into
25 the record; is that correct?

1 **MR. KEATING:** We believe that's appropriate.

2 **COMMISSIONER CLARK:** All right. Do the
3 parties intend to be here for that?

4 **MR. HOFFMAN:** Yes.

5 **MR. SHIEFELBEIN:** If possible, we would ask
6 to be excused for Chesapeake.

7 **COMMISSIONER CLARK:** Staff, how can we
8 accomplish it so that they don't have to be here and
9 we can move the evidence in the record? I suppose you
10 could do that; is that correct?

11 **MR. KEATING:** I think that's how we've done
12 it in the past.

13 **COMMISSIONER CLARK:** And you will tell the
14 other Commissioners we do not intend to have the
15 witnesses or parties present unless they have any
16 questions, and you'll let them know; and so you can
17 notify the parties by Friday if there's any need to
18 show up on Monday.

19 **MR. KEATING:** Okay. We can put that
20 language in the prehearing order also.

21 **COMMISSIONER CLARK:** Okay. We're done
22 with 03. Thank you very much.

23 (Whereupon other dockets were discussed.)

24 - - - - -

25 **COMMISSIONER CLARK:** Okay. Anything else on

1 any of these dockets? (No response.)

2 Mr. Stone, you look like you want to say
3 something. Unless you hurry up, I'm going to adjourn
4 this.

5 MR. STONE: No, Commissioner. I was
6 thinking that if there was going to be an 01 hearing
7 with witnesses and there was going to be an 07
8 apparently with Gulf's witness, that we might be able
9 to get a time certain other than 9:30 Monday morning,
10 but I realize that's not practical.

11 So what you saw was a question that I
12 resolved in my own head.

13 COMMISSIONER CLARK: Okay. There being
14 nothing further to take up at this time, before I
15 adjourn it, I'll be available to resolve anything to
16 the end that we can shorten up this hearing on
17 Thanksgiving week.

18 And with that, this hearing is adjourned;
19 prehearing is adjourned. Thank you.

20 (Thereupon the hearing concluded at
21 3:40 p.m.)

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

3 I, H. RUTHE POTAMI, CSR, RPR, Official
4 Commission Reporter,

5 DO HEREBY CERTIFY that the Prehearing
6 Conference in Docket No. 980003-GU was heard by the
7 Prehearing Officer at the time and place herein
8 stated; it is further

9 CERTIFIED that I stenographically reported
10 the said proceedings; that the same has been
11 transcribed under my direct supervision; and that this
12 transcript, consisting of 11 pages, constitutes a true
13 transcription of my notes of said proceedings.

14 DATED this 18th day of November, 1998.

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H. RUTHE POTAMI, CSR, RPR
Official Commission Reporter
(904) 413-6734

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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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