

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of : DOCKET NO. 990721-EG
:
Adoption of Numeric :
Conservation Goals and :
Consideration of National :
Energy Policy Act Standards :
(Section 111) by :
Florida Public Utilities :
Authority :

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PROCEEDINGS: PREHEARING CONFERENCE

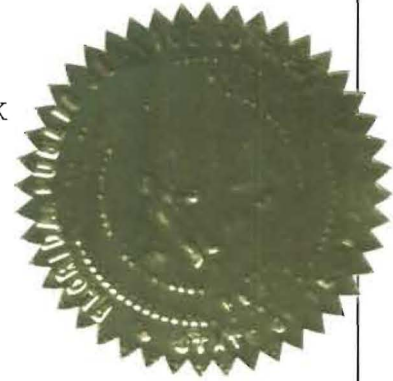
BEFORE: COMMISSIONER SUSAN F. CLARK
Prehearing Officer

DATE: Monday, January 24, 2000

TIME: Commenced at 9:30 a.m.
Concluded at 9:45 a.m.

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

REPORTED BY: JANE FAUROT, RPR
FPSC Division of Records & Reporting
Chief, Bureau of Reporting



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1 **APPEARANCES:**

2 **NORMAN H. HORTON, JR.**, Messer, Caparello, &
3 Self, 215 South Monroe Street, Post Office Box 1876,
4 Tallahassee, Florida 32302-1876, appearing on behalf
5 of **Florida Public Utilities Company (FPUC)**.

6 **WILLIAM COCHRAN KEATING**, Florida Public
7 Service Commission, 2540 Shumard Oak Boulevard,
8 Tallahassee, Florida 32399-0850, appearing on behalf
9 of the **Commission Staff (Staff)**.

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P R O C E E D I N G S

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2 COMMISSIONER CLARK: Thank you all very much. And
3 now we are on Docket 990721, is that correct? Are there
4 any changes, Mr. Horton?

5 MR. HORTON: Commissioner, there is no changes
6 to the prehearing order as it is, although there is some
7 outstanding discovery due from the company to the staff.
8 But, Commissioner, we are in a position at this time that
9 I think we are going to have to ask for a continuance of
10 that part of the hearing that involves us for a couple of
11 reasons. Our goals were established, initial goals were
12 established based on a percentage of goals that were set
13 forth for JEA and Gulf Power in the initial conservation
14 dockets. And our programs are similar to Gulf Power's,
15 although they are not exactly the same. But they are very
16 similar to that, based on them.

17 Our plan in this docket, as reflected in our
18 testimony and meetings this summer with the staff was to
19 continue the goals that had been approved for us in that,
20 and that is how we have proceeded. Now, we have had some
21 meetings with staff recently, we have also met with Gulf
22 Power, and we are going to have to rely on Gulf Power to
23 run some of the studies for us.

24 We met with them with respect to their approved
25 goals, and their plan, and it is going to cause us to

1 reassess, refine some of that which we have already
2 submitted to the staff. We are going to need to revise
3 our goals and reevaluate where we are. I don't anticipate
4 that there is going to be disagreement or a problem based
5 on our meetings, it's just that we now find ourselves that
6 we are going to need some additional time to respond to
7 their discovery and update/revise our testimony.

8 COMMISSIONER CLARK: Well, let me ask staff;
9 what is the staff's position on that?

10 MR. KEATING: Staff wouldn't be opposed to the
11 continuance. I don't think that that is going to cause us
12 any heartburn. I was just discuss this with Tom. If we
13 can work this out with these dockets where we can somehow
14 get them to an agenda rather than the hearing date,
15 perhaps that is one way we can handle this without the
16 trouble of rescheduling on the calendar and finding a date
17 that all the Commissioners are available.

18 COMMISSIONER CLARK: Well, are you recommending
19 that the continuance be granted?

20 MR. HORTON: Commissioner, let me interject
21 here. My client was supposed to be here this morning,
22 unfortunately he was flying through Atlanta last night.
23 So let me talk with him if I could. If at all possible we
24 would like to get all the information to staff and use
25 that date that you have already got. But in an abundance

1 of caution, I really have got less than a 50/50
2 expectation that is going to happen given the information
3 I received the other day?

4 COMMISSIONER CLARK: So you don't want to
5 continue the hearing at this point?

6 MR. HORTON: If I can get the information to
7 staff in time, then we could use that. I doubt that is
8 going to happen, but I will know today just exactly how
9 much time we are going to need.

10 COMMISSIONER CLARK: Okay. Well, then we are
11 apprised of the fact that you might ask for a continuance
12 and we will handle it when it arrives.

13 MR. HORTON: That would be fine. I just wanted
14 to let you know, and we will do everything we can, but I
15 don't think it is going to happen.

16 COMMISSIONER CLARK: All right.

17 MR. KEATING: And that would be fine with staff.
18 We will keep working with Florida Public Utilities and see
19 if we can get this done as soon as possible.

20 COMMISSIONER CLARK: All right. That sounds
21 fine. But, in the meantime, Mr. Horton, is there anything
22 that needs to be changed in the draft prehearing order?

23 MR. HORTON: No, ma'am.

24 COMMISSIONER CLARK: Okay. Mr. Young, did you
25 want to add anything?

1 MR. YOUNG: No, ma'am.

2 COMMISSIONER CLARK: Okay. Is there anything
3 else we need to take up?

4 MR. KEATING: I don't believe there is.

5 COMMISSIONER CLARK: The hearing is adjourned.

6 (The prehearing conference concluded at 9:45 a.m.)
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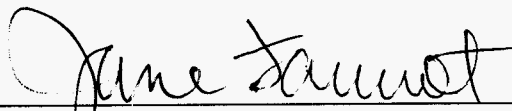
STATE OF FLORIDA) : CERTIFICATE OF REPORTER
COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, FPSC Bureau of Reporting FPSC Commission Reporter,

DO HEREBY CERTIFY that the Prehearing Conference in Docket No. 990721-EG was heard by the Florida Public Service Commission at the time and place herein stated; it is further

CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed by me; and that this transcript, consisting of 6 pages, constitutes a true transcription of my notes of said proceedings.

DATED this 31st DAY OF JANUARY, 2000.



JANE FAUROT, RPR
FPSC Division of Records & Reporting
Chief, Bureau of Reporting