

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of : DOCKET NO. 000003-GU
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PURCHASED GAS :
ADJUSTMENT (PGA) :
TRUE-UP. :

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* AND DO NOT INCLUDE PREFILED TESTIMONY. *
* *

PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER LILA A. JABER
Prehearing Officer

DATE: Friday, November 3, 2000

TIME: Commenced at 1:30 p.m.
Concluded at 4:05 p.m.

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

REPORTED BY: TRICIA DeMARTE
Official FPSC Reporter



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1 **APPEARANCES:**

2 WAYNE L. SCHIEFELBEIN, 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 (CGC).

10 ANSLEY WATSON, JR., MacFarlane, Ferguson &
11 McMullen, P.O. Box 1531, Tampa, Florida 33601,
12 appearing on behalf of Peoples Gas System (PGS).

13 NORMAN H. HORTON, JR., Messer, Caparello,
14 & Self, 215 South Monroe Street, Post Office Box
15 1876, Tallahassee, Florida 32302-1876, appearing on
16 behalf of Florida Public Utilities Company (FPUC)
17 and Sebring Gas System, Inc. (SEBRING) and South
18 Florida Natural Gas, Florida Division (SFNG).

19 D. BRUCE MAY, Holland & Knight, LLP,
20 P. O. Drawer 810, Tallahassee, Florida 32302,
21 appearing on behalf of St. Joe Natural Gas Company
22 (SJNG).

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1 APPEARANCES CONTINUED:

2 COCHRAN KEATING, Florida Public Service
3 Commission, Division of Legal Services, 2540 Shumard
4 Oak Boulevard, Tallahassee, Florida 32399-0870,
5 appearing on behalf of the Commission Staff (STAFF).

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P R O C E E D I N G S

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COMMISSIONER JABER: Mr. Keating, why don't you go ahead and read the notice?

MR. KEATING: Pursuant to notice issued September 29th, 2000, and amended October 6th, 2000, this time and place have been set for a prehearing conference in Docket Number 000001-EI, fuel and purchased power cost recovery clause and generating performance incentive factor; Docket Number 000002-EG, energy conservation cost recovery clause; Docket Number 000003-GU, purchased gas adjustment true-up; and Docket Number 000007-EI, environmental cost recovery clause.

COMMISSIONER JABER: All right. Before we take appearances, let me tell you all what my intent is, and you can govern yourselves accordingly. We're going to take up the 000003 Docket first. It's my intent to do 3, 2, 1, 7 in that order. So if you're here on 3 -- is that acceptable, Staff?

MS. STERN: That's fine.

MR. KEATING: That would be acceptable.

COMMISSIONER JABER: If you're on 3, then I want to take appearances.

MR. WATSON: I'm Ansley Watson, Jr., MacFarlane, Ferguson & McMullen, P. O. Box 1531, Tampa, Florida 33601, appearing for Peoples Gas System.

1 MR. HORTON: Norman H. Horton, Jr., Messer,
2 Caparello & Self, Tallahassee, appearing in the 03 Docket
3 on behalf of Florida Public Utilities, Sebring Gas System,
4 and South Florida Natural Gas.

5 MR. PALECKI: Michael Palecki, 3539 Apalachee
6 Parkway, Tallahassee, Florida 32311 on behalf of City Gas
7 Company of Florida.

8 MR. SCHIEFELBEIN: Wayne Schiefelbein, appearing
9 on behalf of Chesapeake Utilities Corporation.

10 MR. KEATING: Cochran Keating, appearing on
11 behalf of the Commission Staff.

12 COMMISSIONER JABER: Okay. Thank you. There
13 are a couple of preliminary matters, Mr. Keating?

14 MR. KEATING: Yes. I believe the
15 first matter -- Indiantown Gas Company has filed a request
16 to be excused from participating at the prehearing.

17 COMMISSIONER JABER: Any objections? Staff.

18 MR. KEATING: We would recommend approving the
19 request, given that all the issues are stipulated in this
20 docket.

21 COMMISSIONER JABER: Okay. The request for
22 being excused from the prehearing conference is granted,
23 and just have that reflected in the ruling section of the
24 prehearing order. The copy of the letter I have also says
25 that Indiantown did not file a prehearing statement; is

1 that correct?

2 MR. KEATING: That's correct. Indiantown did
3 not file a prehearing statement. They have indicated that
4 they will file a request for leave to file its prehearing
5 statement out of time, and I expect that they will file
6 that by the end of the day today.

7 COMMISSIONER JABER: But they agree with all of
8 your positions?

9 MR. KEATING: They do agree with all the
10 positions that are shown in the prehearing -- in the draft
11 prehearing order as stipulated.

12 COMMISSIONER JABER: Okay. That's fine. Any
13 other preliminary matters?

14 Mr. Palecki, did City Gas file a prehearing
15 statement?

16 MR. PALECKI: Yes, City Gas would request a
17 leave to file their prehearing statement out of time. We
18 filed on the 27th, and it was due on the 25th.

19 COMMISSIONER JABER: Any objections? Okay.
20 That's granted.

21 MR. PALECKI: Thank you.

22 COMMISSIONER JABER: Anything else?

23 MR. KEATING: As far as preliminary matters, I
24 don't believe so. I guess at this point I can indicate
25 that all of the issues that are shown in the draft

1 prehearing order -- and I believe they are shown as
2 stipulated in the draft prehearing order -- are indeed
3 stipulated. And Staff would be prepared to make an oral
4 recommendation at the hearing, and I believe the draft
5 prehearing order indicates that and indicates that the
6 Commission has the option of rendering a bench decision.

7 COMMISSIONER JABER: Cochran, I think because
8 the proceeding seems to be stipulated, we can take out the
9 sentence about opening statements. I don't expect anyone
10 will have any problem with that; right?

11 MR. WATSON: No objection.

12 COMMISSIONER JABER: Okay. And I would just
13 remind the parties that on Page 4, at my direction Staff
14 has put in a time certain of when Staff will contact the
15 parties with respect to whether witnesses need to be
16 available at the hearing or not.

17 MR. WATSON: That's very good. Commissioner
18 Jaber, assuming the witness for a party does not need to
19 be present at the hearing, may counsel for that party also
20 be excused from attending the hearing?

21 COMMISSIONER JABER: I think so.

22 MR. WATSON: Thank you.

23 COMMISSIONER JABER: I think so. All right.

24 Mr. Keating, anything else on this docket before we move
25 to the next?

1 MR. KEATING: I suppose if any of the parties
2 have any changes to the draft prehearing order, I guess
3 this would be the time to indicate if there are any errors
4 or corrections that need to be made.

5 COMMISSIONER JABER: All right. Everyone is on
6 notice. There will be -- most likely there will be a
7 bench decision in this docket at the hearing.

8 And when is the hearing, Mr. Keating?

9 MR. KEATING: The hearing is scheduled for 9:30
10 a.m. on Monday, November 20th.

11 COMMISSIONER JABER: Mr. Schiefelbein, you have
12 your hand on the button.

13 MR. SCHIEFELBEIN: A small change on Page 1 of
14 the draft prehearing order, if the zip code could be
15 inserted, which is 32317. Thank you.

16 COMMISSIONER JABER: Thank you.

17 MR. KEATING: It appears that none of the zip
18 codes have been provided in the appearances list on
19 Page 1. We can go back and include all of those. I
20 believe we have that information.

21 MR. WATSON: I'll hold off on my zip code
22 question then.

23 COMMISSIONER JABER: We'll add your name too. I
24 noticed that you're not under the appearance section, so
25 your name will be added.

1 MR. WATSON: Okay. And the other -- I have
2 three typographical matters. On Pages 7 and 8 under the
3 positions on each of the three issues, if you could delete
4 the portion ", Inc." after Peoples Gas System in each
5 place that it appears.

6 COMMISSIONER JABER: Thank you. Anything else?
7 Mr. May, you need to enter an appearance.

8 MR. MAY: I do. I'm appearing on behalf of
9 St. Joe Natural Gas Company. The president had a family
10 emergency and could not attend, but I did want to make an
11 appearance, and we have nothing to add to the prehearing
12 statement at this time.

13 COMMISSIONER JABER: For St. Joe Natural Gas.
14 All right. Staff, you didn't even have them on the --
15 included in the prehearing order, did you?

16 MR. KEATING: We don't have an appearance listed
17 for them in the draft prehearing order.

18 COMMISSIONER JABER: You've got positions
19 already.

20 MR. KEATING: We have positions for St. Joe on
21 all the issues.

22 COMMISSIONER JABER: St. Joe filed a prehearing
23 statement?

24 MR. MAY: Yes, they did.

25 COMMISSIONER JABER: Anything else? All right.

1 As it relates to this docket, the prehearing conference is
2 completed. Now, we're going to move on to 2.

3 (Prehearing conference concluded at 4:05 p.m.)

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1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON)

4 I, TRICIA DeMARTE, Official FPSC Commission Reporter,
5 do hereby certify that the Prehearing Conference in Docket
6 No. 000003-GU was heard by the Florida Public Service
Commission at the time and place herein stated.

7 It is further certified that I stenographically
8 reported the said proceedings; that the same has been
9 transcribed under my direct supervision; and that this
transcript, consisting of 10 pages, constitutes a true
transcription of my notes of said proceedings.

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

13 DATED this 8th day of November, 2000.

14
15 Tricia DeMarte
16 TRICIA DeMARTE
17 FPSC Official Commission Reporter
18 (850) 413-6736
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