

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 010004-GU

In the Matter of
NATURAL GAS CONSERVATION
COST RECOVERY.

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PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER LILA A. JABER
 Prehearing Officer

DATE: Thursday, November 8, 2001

TIME: Commenced at 9:30 a.m.
 Concluded at 1:35 p.m.

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

REPORTED BY: JANE FAUROT, RPR
 Chief, Office of Hearing Reporter Services
 FPSC Division of Commission Clerk and
 Administrative Services
 (850) 413-6732

DOCUMENT NUMBER - DATE
14363 NOV 13 01

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1 APPEARANCES:

2 RICHARD D. MELSON, Hopping Green Sams and
3 Smith, Post Office Box 6526, Tallahassee, Florida
4 32314, appearing on behalf of City Gas Corporation.

5 WAYNE L. SCHIEFELBEIN, P. O. Box 15756,
6 Tallahassee, Florida 32317-5856, appearing on behalf
7 of Chesapeake Utilities Corporation.

8 ANSLEY WATSON, JR., Macfarlane, Ferguson
9 and McMullen, P.O. Box 1531, Tampa, Florida 33601,
10 appearing on behalf of Peoples Gas System.

11 NORMAN H. HORTON, JR., Messer, Caparello &
12 Smith, 215 South Monroe Street, Tallahassee, Florida
13 32301, appearing on behalf of Florida Public
14 Utilities Company.

15 MARLENE K. STERN, Florida Public Service
16 Commission, Division of Legal Services, 2540 Shumard
17 Oak Boulevard, Tallahassee, Florida 32399-0870,
18 appearing on behalf of the Commission Staff.

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P R O C E E D I N G S

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COMMISSIONER JABER: Staff, this is Docket 04?

MS. STERN: Yes, it is.

COMMISSIONER JABER: Let's take appearances.

Mr. Melson.

MR. MELSON: Richard Melson of the law firm Hopping, Green, and Sams on behalf of City Gas Company of Florida.

MR. SCHIEFELBEIN: Wayne Schiefelbein appearing on behalf of the Florida Division of Chesapeake Utilities Corporation.

MR. HORTON: Norman H. Horton, Jr., on behalf of Florida Public Utilities Company.

MR. WATSON: Ansley Watson, Jr., of Macfarlane, Ferguson, and McMullen for Peoples Gas System.

COMMISSIONER JABER: St. Joe Natural Gas Company was excused from the prehearing conference. That request was granted. Ms. Stern.

MS. STERN: Marlene Stern on behalf of the Commission staff.

COMMISSIONER JABER: Ms. Stern, I would sort of like to handle this docket the way we handled the last one. No need to go issue-by-issue. If there are changes or preliminary matters you would like to bring to my attention, let's just go ahead and talk about that.

MS. STERN: One thing I would like to get

1 clarification on is FPUC going to have a witness for Issue 4?

2 MR. HORTON: Mr. Smith would be for Number 4.

3 MS. STERN: Okay. Issue 2, I believe that we have
4 agreed to substitute in the rate classes listed under City Gas'
5 position for the rate classes listed under staff's position.

6 COMMISSIONER JABER: City Gas, do you agree with
7 that?

8 MR. MELSON: Yes, that was at our request. The City
9 Gas position lists all of the rate schedules and the staff's
10 had listed some, but not all of them.

11 COMMISSIONER JABER: All right. Ms. Stern, you can
12 go ahead and make that change.

13 MS. STERN: Okay. Issue 1, I believe that Chesapeake
14 has agreed to staff's position?

15 MR. SCHIEFELBEIN: That's correct.

16 MS. STERN: Okay. And that is not reflected in this
17 draft, but it will be in the final prehearing order.

18 And, Chesapeake, you agree with staff on Issue 2, as
19 well?

20 MR. SCHIEFELBEIN: Yes, ma'am.

21 MS. STERN: Okay.

22 COMMISSIONER JABER: Okay. Those changes will be
23 made in the final version.

24 MS. STERN: I believe that is all unless any --
25 that's all for staff.

1 COMMISSIONER JABER: Let me ask you a question. On
2 Page 5, Debbie Stitt's testimony, it says substituted prepared
3 testimony to be inserted into the record.

4 MS. STERN: Uh-huh.

5 COMMISSIONER JABER: What does that mean? She has
6 filed testimony to take the place of someone else's testimony?
7 Whose witness is that? St. Joe.

8 MS. STERN: St. Joe. And her testimony is just
9 intended to be put into the record as though read without any
10 cross-examination. And we will change the way that is noted
11 there. We will put the asterisk and a note as we discussed in
12 Docket 03.

13 COMMISSIONER JABER: Okay. Now, is that true for all
14 of these witnesses, Marlene? Has there been agreement on which
15 witnesses --

16 MS. STERN: No, we haven't had any discussion on
17 that.

18 COMMISSIONER JABER: Do we need to discuss that, or
19 are parties ready to just go ahead and let staff know which
20 testimony can be inserted into the record without cross? Is
21 their testimony that can be inserted into the record?

22 MR. MELSON: Commissioner Jaber, for City Gas Company
23 of Florida, I believe our positions and the staff's positions
24 match all the way through. So if we could treat at least City
25 Gas as stipulated and stipulate our witnesses' testimony into

1 the record that would be our preference.

2 COMMISSIONER JABER: So that is Gloria Lopez and Carl
3 Smith?

4 MR. MELSON: Yes, ma'am.

5 COMMISSIONER JABER: And Gloria Lopez is adopting the
6 testimony of Carl Smith?

7 MR. MELSON: Right. Again, we had the situation, two
8 pieces of testimony filed by two different people, but Ms.
9 Lopez was adopting Mr. Smith's.

10 COMMISSIONER JABER: All right. Chesapeake.

11 MR. SCHIEFELBEIN: Commissioner, we believe that we
12 are in total agreement with staff and we would ask that
13 Ms. Bauck, Ms. Price, and Mr. Jeffrey's testimony be admitted
14 into the record without their appearance.

15 COMMISSIONER JABER: Florida Power.

16 MR. HORTON: I think we have some --

17 COMMISSIONER JABER: Florida Public, sorry.

18 MR. HORTON: I think there is still some issues
19 between FPUC and staff to be addressed.

20 COMMISSIONER JABER: All right. Kandi Floyd's
21 testimony?

22 MR. WATSON: Yes. With respect to Peoples, the staff
23 and the company are in agreement on all issues. And we would
24 ask that Ms. Floyd be excused and her testimony and exhibits
25 inserted into the record and admitted. In addition, on

1 Issue -- I think it's 4. Let me see. The FPUC issue, Issue 4,
2 People's position should be no position.

3 MR. MELSON: City Gas Company's position should also
4 be no position on Issue 4.

5 COMMISSIONER JABER: Well, actually these are --
6 Issue 4 is only related to Florida Public Utility, right?

7 MR. MELSON: Yes.

8 COMMISSIONER JABER: Staff, you just need to take out
9 the references to the other companies. Can it be handled that
10 way? And, Staff, on this draft, use the process that was
11 outlined in the earlier draft prehearing order in the previous
12 docket where you will notify the Commissioners of the possible
13 stipulations and the witnesses that do not need to be at the
14 hearing unless the Commissioners have questions, and get back
15 to the parties and let them know as expeditiously as possible.
16 You know, let's clean this up a little bit.

17 MS. STERN: Yes.

18 MR. SCHIEFELBEIN: Excuse me, Commissioner, a small
19 clerical matter. On Page 5, I believe, on the basic positions,
20 for CUC that lengthy basic position reflects the prestipulation
21 positions. I think the best way to handle it would be if CUC
22 could plagiarize City Gas' basic position, that would work just
23 fine.

24 COMMISSIONER JABER: Which would be the company's
25 true-up amounts and conservation cost-recovery factors as shown

1 in Issues 1 through 3 are appropriate and should be approved.

2 MR. SCHIEFELBEIN: Yes, ma'am.

3 COMMISSIONER JABER: Thank you, Mr. Schiefelbein.

4 Any other changes?

5 Staff, any other changes, any other matters to come
6 before us in this docket?

7 MS. STERN: No.

8 COMMISSIONER JABER: Great. Thank you, Marlene.

9 Next docket.

10 (Hearing concluded at 1:35 p.m.)

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STATE OF FLORIDA)

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CERTIFICATE OF REPORTER

COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, Office of Hearing Reporter Services, FPSC Division of Commission Clerk and Administrative Services, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

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

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

DATED THIS 13TH DAY OF NOVEMBER, 2001.



JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
Administrative Services
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