1

1 BEFORE THE

2 FLORIDA PUBLIC SERVICE COMMISSION

3 DOCKET NO. 070193-EI

4 In the Matter of:

5 PETITION FOR DETERMINATION OF NEED FOR

WILLOW OAK-DAVIS 230 KV TRANSMISSION

6 LINE IN POLK AND HILLSBOROUGH COUNTIES,

BY TAMPA ELECTRIC COMPANY.

7 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/

8

9

10

11

12 ELECTRONIC VERSIONS OF THIS TRANSCRIPT ARE

A CONVENIENCE COPY ONLY AND ARE NOT

13 THE OFFICIAL TRANSCRIPT OF THE HEARING,

THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

14

15 PROCEEDINGS: PREHEARING CONFERENCE

16 BEFORE: COMMISSIONER MATTHEW M. CARTER, II

Prehearing Officer

17

DATE: Thursday, May 31, 2007

18

TIME: Commenced at 9:31 a.m.

19 Concluded at 9:35 a.m.

20 PLACE: Betty Easley Conference Center

Room 148

21 4075 Esplanade Way

Tallahassee, Florida

22

REPORTED BY: LINDA BOLES, RPR, CRR

23 Official FPSC Reporter

(850) 413-6734

24

25

FLORIDA PUBLIC SERVICE COMMISSION

2

1 APPEARANCES:

2 LEE L. WILLIS, ESQUIRE, and JAMES D. BEASLEY,

3 ESQUIRE, Ausley Law Firm, Post Office Box 391, Tallahassee,

4 Florida 32302, appearing on behalf of Tampa Electric Company.

5 MARTHA BROWN, ESQUIRE, FPSC General Counsel's Office,

6 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,

7 appearing on behalf of the Commission Staff.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

FLORIDA PUBLIC SERVICE COMMISSION

3

1 P R O C E E D I N G S

2 COMMISSIONER CARTER: Call this prehearing to order.

3 Martha, would you please read the notice.

4 MS. BROWN: Yes, sir. By notice issued April 19th,

5 2007, this time and place was set for a Prehearing Conference

6 in Docket Number 070193-EI, petition for determination of need

7 for Willow-Oak Davis 230kV transmission line in Polk and

8 Hillsborough Counties, by Tampa Electric Company. The purpose

9 of the Prehearing Conference is set out in the notice.

10 COMMISSIONER CARTER: Thank you. We'll now take

11 appearances.

12 MR. WILLIS: I'm Lee L. Willis appearing together

13 with James D. Beasley of the firm of Ausley & McMullen, Post

14 Office Box 391, Tallahassee, Florida 32302, appearing on behalf

15 of Tampa Electric Company.

16 MS. BROWN: And Martha Carter Brown on behalf of the

17 Commission.

18 COMMISSIONER CARTER: Thank you. Ms. Brown, are

19 there any preliminary matters we need to take care of before

20 going through the prehearing or the draft prehearing order?

21 MS. BROWN: I'm not aware of any preliminary matters.

22 I do want to mention that Tampa Electric and staff are

23 proposing stipulations of all the issues and we can address

24 those when we get to that part of the prehearing order.

25 COMMISSIONER CARTER: Excellent. Excellent.

FLORIDA PUBLIC SERVICE COMMISSION

4

1 Mr. Willis, you know that my style is I like to go through

2 things and each one of the sections.

3 MR. WILLIS: Sure.

4 COMMISSIONER CARTER: If there are any changes or

5 anything like that, draw my attention to them. If not, we'll

6 just proceed further. Any matters, any other matters,

7 Ms. Brown?

8 MS. BROWN: I don't think so, Commissioner.

9 COMMISSIONER CARTER: Okay. Let us proceed.

10 Draft prehearing order, Section I, case background.

11 Section II, conduct of proceedings. Any changes or

12 corrections?

13 MS. BROWN: No, Commissioner.

14 COMMISSIONER CARTER: Section III, jurisdiction.

15 Section IV, procedure for handling confidential

16 information.

17 Section V, prefiled testimony and exhibits and

18 witnesses.

19 MS. BROWN: Commissioner, since the case is fully

20 stipulated, the witness's testimony and exhibits can be entered

21 into the record waiving cross-examination. We will prepare a

22 comprehensive stipulated exhibit list of discovery exhibits to

23 enter into the record at the hearing. And if the Commissioners

24 do not have any questions for the witness, he may be excused

25 from attendance. And the prehearing order states that staff

FLORIDA PUBLIC SERVICE COMMISSION

5

1 will notify Tampa Electric if the witness can be excused by

2 next Monday, June 4.

3 COMMISSIONER CARTER: Okay. Section VI, order of

4 witnesses.

5 Section VII, basic positions.

6 Section VIII, issues and positions.

7 MS. BROWN: As, as I mentioned before, it looks like

8 this is a fully stipulated case and Tampa Electric and the

9 staff agree on all the issues.

10 COMMISSIONER CARTER: Okay. Section IX, exhibit

11 list, will be enclosed within the stipulation.

12 MS. BROWN: Right.

13 COMMISSIONER CARTER: Section X, proposed

14 stipulation.

15 MS. BROWN: The final prehearing order will reflect

16 the stipulations as stated in Section VIII.

17 COMMISSIONER CARTER: Okay. Section XI, pending

18 motions.

19 MS. BROWN: No pending motions, Commissioner.

20 COMMISSIONER CARTER: Section XII, pending

21 confidentiality matters.

22 MS. BROWN: No pending confidentiality matters

23 either.

24 COMMISSIONER CARTER: Section XIII, posthearing

25 procedures.

FLORIDA PUBLIC SERVICE COMMISSION

6

1 MS. BROWN: Commissioner, in light of the short time

2 frames of the transmission line citing case it's likely that

3 the Commission will issue a bench decision at the hearing, and

4 so no posthearing filings will be necessary.

5 COMMISSIONER CARTER: Okay. Section XIV, rulings.

6 MS. BROWN: If we do have a hearing, we suggest

7 opening statements, if any, should not exceed five minutes.

8 COMMISSIONER CARTER: Make it so. Any other matters?

9 MS. BROWN: Not that I'm aware of.

10 COMMISSIONER CARTER: Mr. Willis?

11 MR. WILLIS: Nothing further. I want to thank the

12 staff for interacting with us and working back and forth to, to

13 reach this point and we appreciate that very much. And I think

14 we've got a good prehearing order and procedure for the

15 hearing.

16 COMMISSIONER CARTER: Okay. Then if there are no

17 other matters before us, we are adjourned.

18 MS. BROWN: Thank you, Commissioner.

19 (Prehearing Conference adjourned at 9:35 a.m.)

20

21

22

23

24

25

FLORIDA PUBLIC SERVICE COMMISSION

7

1 STATE OF FLORIDA )

: CERTIFICATE OF REPORTER

2 COUNTY OF LEON )

3

4 I, LINDA BOLES, RPR, CRR, Official Commission

Reporter, do hereby certify that the foregoing proceeding was

5 heard at the time and place herein stated.

6 IT IS FURTHER CERTIFIED that I stenographically

reported the said proceedings; that the same has been

7 transcribed under my direct supervision; and that this

transcript constitutes a true transcription of my notes of said

8 proceedings.

9 I FURTHER CERTIFY that I am not a relative, employee,

attorney or counsel of any of the parties, nor am I a relative

10 or employee of any of the parties' attorneys or counsel

connected with the action, nor am I financially interested in

11 the action.

12 DATED THIS \_\_\_\_\_\_ day of June, 2007.

13

14 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

LINDA BOLES, RPR, CRR

15 FPSC Official Commission Reporter

(850) 413-6734

16

17

18

19

20

21

22

23

24

25

FLORIDA PUBLIC SERVICE COMMISSION