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 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.

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 13 THE OFFICIAL TRANSCRIPT OF THE HEARING,

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 15 PROCEEDINGS: PREHEARING CONFERENCE

 16 BEFORE: COMMISSIONER MATTHEW M. CARTER, II

 Prehearing Officer

 17

 DATE: Thursday, May 31, 2007

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 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

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 REPORTED BY: LINDA BOLES, RPR, CRR

 23 Official FPSC Reporter

 (850) 413-6734

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 FLORIDA PUBLIC SERVICE COMMISSION

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 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.

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 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.

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 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

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 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.

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 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.)

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 FLORIDA PUBLIC SERVICE COMMISSION

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 1 STATE OF FLORIDA )

 : CERTIFICATE OF REPORTER

 2 COUNTY OF LEON )

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 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.

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 LINDA BOLES, RPR, CRR

 15 FPSC Official Commission Reporter

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