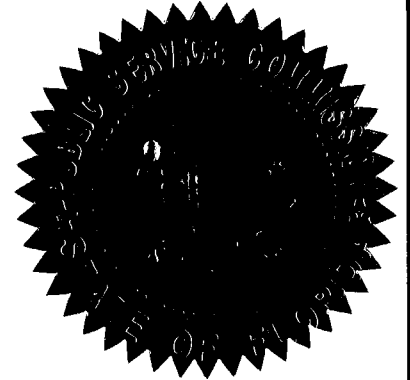


BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 070193-EI

In the Matter of:

PETITION FOR DETERMINATION OF NEED FOR  
WILLOW OAK-DAVIS 230 KV TRANSMISSION  
LINE IN POLK AND HILLSBOROUGH COUNTIES,  
BY TAMPA ELECTRIC COMPANY.



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PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER MATTHEW M. CARTER, II  
Prehearing Officer

DATE: Thursday, May 31, 2007

TIME: Commenced at 9:31 a.m.  
Concluded at 9:35 a.m.

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

REPORTED BY: LINDA BOLES, RPR, CRR  
Official FPSC Reporter  
(850) 413-6734

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

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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.

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

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.

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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1 STATE OF FLORIDA )  
 : CERTIFICATE OF REPORTER  
2 COUNTY OF LEON )

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I, LINDA BOLES, RPR, CRR, Official Commission Reporter, 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' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 1st day of June, 2007.

Linda Boles  
LINDA BOLES, RPR, CRR  
FPSC Official Commission Reporter  
(850) 413-6734