

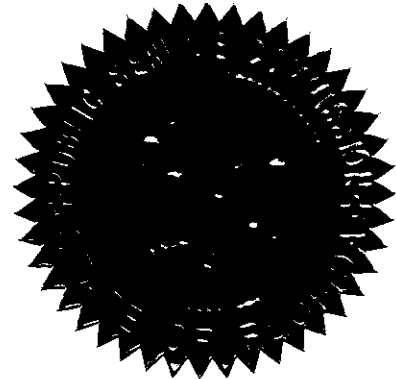
BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 080614-EM

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

In the Matter of:

PETITION TO DETERMINE NEED FOR
GREENLAND ENERGY CENTER COMBINED
CYCLE CONVERSION IN DUVAL COUNTY
BY JEA.



PROCEEDINGS: PREHEARING

BEFORE: COMMISSIONER NANCY ARGENZIANO
 PREHEARING OFFICER

DATE: Thursday, January 8, 2009

TIME: Commenced at 1:30 p.m.
 Concluded at 2:00 p.m.

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

REPORTED BY: JANE FAUROT, RPR
 Official FPSC Reporter
 (850) 413-6732

DOCUMENT NUMBER-DATE

00334 JAN 14 09

FPSC-COMMISSION CLERK

1 APPEARANCES:

2 GARY V. PERKO, ESQUIRE, Hopping Law Firm, Post Office
3 Box 6526, Tallahassee, Florida 32314, appearing on behalf of
4 JEA.

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

P R O C E E D I N G S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMISSIONER ARGENZIANO: Let's call the Prehearing to order.

And, Staff, would you please read the notice.

MS. BROWN: By notice issued December 22nd, 2008, this time and place was set for a Prehearing Conference in Docket Number 080614-EM, petition to determine need for Greenland Energy Center Combined Cycle Conversion in Duval County by JEA.

The purpose of the Prehearing Conference is set out in the notice.

COMMISSIONER ARGENZIANO: Thank you.

And we'll take appearances. Mr. Perko.

MR. PERKO: Good afternoon, Commissioner. My name is Gary Perko on behalf of JEA.

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

COMMISSIONER ARGENZIANO: I lost you there for a minute. I was looking.

MS. HELTON: Mary Anne Helton, Advisor to the Commission.

COMMISSIONER ARGENZIANO: Thank you.

Okay. Ms. Brown, are there any preliminary matters we need to address before we get to the draft prehearing order?

MS. BROWN: I'm not aware of any, Commissioner.

1 **COMMISSIONER ARGENZIANO:** Okay. Anything from the
2 parties?

3 **MR. PERKO:** No, Commissioner.

4 **COMMISSIONER ARGENZIANO:** Let's move on to -- does
5 everybody have the same copy that I'm reading off of? Okay.

6 And if I move too fast, please just holler, raise
7 your hand, do anything and stop me, and just attract my
8 attention, please.

9 Any corrections or changes to Case Background?

10 **MR. PERKO:** No.

11 **COMMISSIONER ARGENZIANO:** Okay. Conduct of
12 Proceedings? Jurisdiction?

13 **MR. PERKO:** No.

14 **COMMISSIONER ARGENZIANO:** Procedure for Handling
15 Confidential Information.

16 Prefiled Testimony and Exhibits; Witnesses. Okay.
17 Order of Witnesses.

18 **MS. BROWN:** Commissioner, staff expects that at least
19 some of the witnesses in this hearing can be excused if the
20 Commissioners don't have any questions for them.

21 The Prehearing Order states that Staff will notify
22 JEA by February 9th, 2009, if the witnesses have been excused
23 or if the Commissioners will have questions for them.

24 **COMMISSIONER ARGENZIANO:** Okay. And, of course, at
25 that time we will find out if Commissioners do have any other

1 questions and let the parties know.

2 Basic Positions.

3 **MR. PERKO:** No change.

4 **COMMISSIONER ARGENZIANO:** Issues and Positions.

5 **MS. BROWN:** Commissioner, JEA and staff have not had
6 the opportunity to discuss stipulations to the issues at this
7 time, but we expect to be having those discussions and we'll
8 probably have stipulations available before the final
9 prehearing order is issued, so the final prehearing order would
10 reflect those.

11 **COMMISSIONER ARGENZIANO:** Okay. That sounds great.
12 I hope there is continued talking on that. That would be
13 great.

14 The Exhibit List.

15 **MS. BROWN:** To that same end, JEA and staff will
16 discuss stipulating testimony and exhibits into the record, and
17 we'll indicate those stipulations in the final prehearing
18 order. And we, of course, will have a Comprehensive Stipulated
19 Exhibit List to enter into the record at the hearing.

20 **COMMISSIONER ARGENZIANO:** Very good.

21 And Proposed Stipulations.

22 **MS. BROWN:** None yet, but we're working on it.

23 **COMMISSIONER ARGENZIANO:** Pending Motions.

24 **MS. BROWN:** There is one pending motion,
25 Commissioner, that's JEA's Motion to File Supplemental

1 Testimony. We recommend that you grant that motion, and we can
2 reflect your ruling in the Prehearing Order.

3 **COMMISSIONER ARGENZIANO:** That sounds appropriate.
4 Make it so.

5 And we'll move on to Pending Confidentiality Matters.

6 **MS. BROWN:** There are none that I'm aware of.

7 **COMMISSIONER ARGENZIANO:** Okay. Post-hearing
8 Procedures.

9 **MS. BROWN:** If the Commission makes a bench decision
10 at the hearing, no post-hearing filings will be necessary. But
11 we're going to keep this in the Prehearing Order for the time
12 being.

13 **COMMISSIONER ARGENZIANO:** Okay. Rulings.

14 **MS. BROWN:** The Rulings section will reflect the
15 ruling you just made on the motion for supplemental testimony,
16 and we also suggest that you make a ruling that if a hearing is
17 held, opening statements should not exceed five minutes.

18 **MR. PERKO:** That's fine.

19 **COMMISSIONER ARGENZIANO:** Everybody okay with that?
20 Okay. That's what we'll do, not to exceed five minutes per
21 side.

22 Any other matters?

23 **MS. BROWN:** Not to my knowledge, Commissioner.

24 **MR. PERKO:** No, Commissioner.

25 **COMMISSIONER ARGENZIANO:** Okay. Well, then in that

1 case, it was very nice to see you all. We're adjourned. Have
2 a good day.

3 (The Prehearing concluded at 2:10 p.m.)
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF FLORIDA)
:
COUNTY OF LEON)

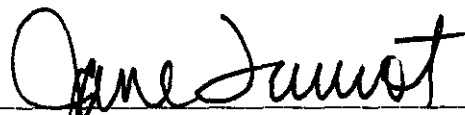
CERTIFICATE OF REPORTER

I, JANE FAUROT, RPR, Chief, Hearing Reporter Services Section, FPSC Division of Commission Clerk, 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 January, 2009.



JANE FAUROT, RPR
Official FPSC Hearings Reporter
(850) 413-6732