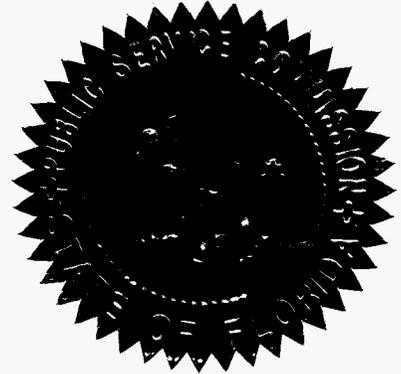


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 090539-GU

PETITION FOR APPROVAL OF SPECIAL
GAS TRANSPORTATION SERVICE
AGREEMENT WITH FLORIDA CITY GAS
BY MIAMI-DADE COUNTY THROUGH
MIAMI-DADE WATER AND SEWER
DEPARTMENT.



PROCEEDINGS: HEARING CONFERENCE

COMMISSIONERS
PARTICIPATING: CHAIRMAN ART GRAHAM
COMMISSIONER LISA POLAK EDGAR
COMMISSIONER RONALD A. BRISÉ
COMMISSIONER EDUARDO E. BALBIS
COMMISSIONER JULIE I. BROWN

DATE: Wednesday, June 1, 2011

TIME: Commenced at 1:36 p.m.
Concluded at 1:42 p.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

DOCUMENT NUMBER-DATE

03859 JUN-2 =

1 APPEARANCES:

2 HENRY N. GILLMAN, ESQUIRE, and DAVID STEPHEN
3 HOPE, ESQUIRE, Stephen P. Clark Center, 111 N.W. 1st
4 Street, Suite 2810, Miami, Florida 33128, appearing on
5 behalf of Miami-Dade Water and Sewer Department.

6 FLOYD R. SELF, ESQUIRE, and ROBERT J. TELFER,
7 III, ESQUIRE, Messer, Caparello & Self, 2618 Centennial
8 Place, Tallahassee, Florida 32308, appearing on behalf
9 of Florida City Gas.

10 SHANNON O. PIERCE, ESQUIRE, AGL Resources,
11 Inc., Ten Peachtree Place, 15th Floor, Atlanta, Georgia
12 30309, appearing on behalf of Florida City Gas.

13 ANNA WILLIAMS, ESQUIRE, and MARTHA CARTER
14 BROWN, ESQUIRE, Florida Public Service Commission, 2540
15 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,
16 appearing on behalf of the Florida Public Service
17 Commission Staff.

18 SAMANTHA CIBULA, ESQUIRE, Florida Public
19 Service Commission, 2540 Shumard Oak Boulevard,
20 Tallahassee, Florida 32399-0850, Advisor to the Florida
21 Public Service Commission.

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

2 CHAIRMAN GRAHAM: Okay. I apologize for that.
3 We had some slight technical difficulties, but I think
4 they've been all solved.

5 Let the record show this is the hearing,
6 Docket Number 090539-GU, so we will call this hearing to
7 order. And, Staff, if you'd read the notice, please.

8 MS. WILLIAMS: By notice issued May 13th,
9 2011, the time and place was set for this hearing in
10 Docket 090539-GU, In Re: Petition for Approval of
11 Special Gas Transportation Service Agreement with
12 Florida City Gas by Miami-Dade County through Miami-Dade
13 Water and Sewer Department. The purpose of this hearing
14 is set forth in that notice.

15 CHAIRMAN GRAHAM: Very good.

16 Appearances. Who do we have?

17 MR. GILLMAN: Henry Gillman on behalf of
18 Miami-Dade County, with the Miami-Dade County Attorney's
19 Office.

20 MR. HOPE: David Stephen Hope, Assistant
21 County Attorney, on behalf of Miami-Dade County.

22 MR. SELF: Good afternoon, Commissioners.
23 Floyd Self of the law firm Messer, Caparello & Self.
24 Also appearing with me on my far left is Robert J.
25 Telfer. And also with me today from AGL Resources is

1 our inside counsel, Ms. Shannon Pierce, who is on my
2 left.

3 **CHAIRMAN GRAHAM:** Commission Staff.

4 **MS. WILLIAMS:** Anna Williams and Martha Carter
5 Brown on behalf of Commission Staff.

6 **MS. CIBULA:** Samantha Cibula, Commission
7 advisor.

8 **CHAIRMAN GRAHAM:** I hear everybody clicking.
9 Everybody is just dying to be first; right?

10 Preliminary matters.

11 **MR. SELF:** Yes, Mr. Chairman, if I may. I
12 have a preliminary matter for the Commission.

13 The parties have reached an agreement by which
14 they have settled the case. There is still the
15 paperwork to be done, but we have reached an agreement
16 on the terms, and we would jointly request that the
17 Commission recess, suspend, postpone, whatever the
18 appropriate term is, the hearings for this week and
19 allow the parties to go and get that settlement reduced
20 to writing and then filed and submitted to the
21 Commission and brought to you at a later date for your
22 approval.

23 **CHAIRMAN GRAHAM:** So say you all?

24 **MR. HOPE:** Yes, Mr. Chairman. And let me just
25 add a couple of other things. We have in theory -- both

1 parties need to get certain approvals: Florida City Gas
2 at a corporate level, Miami-Dade County through a
3 legislative level.

4 What we've spoken about is we have now reached
5 agreement over the crucial term here of the rates that
6 would be charged retroactively and prospectively. We
7 want to now reduce that, memorialize that in writing
8 with any other terms and conditions that come in from
9 any sort of amendment; and then go back and bring Staff
10 up to speed in terms of where we are so they are
11 comfortable with the rates and the process that we see;
12 then bring that finally back to you for your blessing.

13 **CHAIRMAN GRAHAM:** Staff?

14 **MS. WILLIAMS:** Staff agrees, if that's the
15 parties' wish and they jointly want to request that this
16 hearing be stopped and go back and put that in writing.
17 I think we'd be on board with that.

18 **CHAIRMAN GRAHAM:** Commission board?

19 Well, all I can say is I am glad that you guys
20 have worked this out. I think it always works best for
21 everybody when you guys come to the table and, and are
22 able to come to an agreement. I know, speaking for
23 everybody up here, we're glad when that happens.

24 Staff, thank you for the work you have done to
25 get us to this point, and thank you guys for giving of

1 your time and hashing this stuff all out. And not to
2 prolong all this, we're going to cancel this meeting.
3 And do we have to do anything for a time certain?

4 **MS. WILLIAMS:** No. I think we will just wait
5 until we get a filing from the parties, and then at that
6 time we'll reschedule and plan when we can bring this
7 for you -- in front of you all for your review.

8 **MR. GILLMAN:** Mr. Chair, would it be in order
9 to have a motion to abate this proceeding?

10 **CHAIRMAN GRAHAM:** I think just canceling it
11 will be sufficient.

12 **MR. GILLMAN:** Okay. As long as we know that
13 the, the proceeding is abated at the time. Thank you.

14 **CHAIRMAN GRAHAM:** Cancel, kill, get rid of,
15 drag off.

16 (Laughter.)

17 **MR. SELF:** And, Mr. Chairman, if I may, you
18 know, we would like to say that, as you all well know,
19 getting to a settlement is never an easy process, but,
20 but certainly the participation and diligence of the
21 Commission Staff in holding the, the two parties through
22 a rather onerous discovery process -- it was a team
23 effort on the part of both of the parties, and we
24 appreciate the Staff's involvement in this. And we
25 certainly appreciate, on behalf of Florida City Gas,

1 Miami-Dade County's involvement in working with us to
2 help get us to a mutually agreeable place.

3 **CHAIRMAN GRAHAM:** Well, it sounds good. So we
4 are officially going to adjourn the meeting. Thank you
5 very much.

6 (Proceeding adjourned at 1:42 p.m.)

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STATE OF FLORIDA)
):
COUNTY OF LEON)

CERTIFICATE OF REPORTER

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 2nd day of June, 2011.

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