

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of:

DOCKET NO. 110004-GU

NATURAL GAS CONSERVATION
COST RECOVERY.

PROCEEDINGS: PREHEARING

COMMISSIONER
PARTICIPATING: COMMISSIONER RONALD A. BRISÉ
PREHEARING OFFICER

DATE: Thursday, October 20, 2011

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

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

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APPEARANCES:

BETH KEATING, ESQUIRE, Gunster Law Firm,
215 South Monroe Street, Suite 618, Tallahassee,
Florida 32301, appearing on behalf of FCG, FPUC,
FPUC Indiantown, Chesapeake Utilities Corporation.

NORMAN H. HORTON, JR., ESQUIRE, Messer Law
Firm, Post Office Box 15579, Tallahassee, Florida
32317, appearing on behalf of Sebring Gas Systems,
Inc.

JENNIFER CRAWFORD, ESQUIRE, FPSC General
Counsel's Office, 2540 Shumard Oak Boulevard,
Tallahassee, Florida 32399-0850, appearing on behalf
of the Florida Public Service Commission Staff.

MARY ANNE HELTON, Deputy General Counsel,
Florida Public Service Commission, 2540 Shumard Oak
Boulevard, Tallahassee, Florida 32399-0850, Advisor
to the Florida Public Service Commission.

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

2 COMMISSIONER BRISÉ: Good morning, once
3 again.

4 Today we are going to deal with the
5 prehearing for the clause dockets. Today is
6 October 20th, 2011, and we are going to deal with
7 Docket Numbers 110003-GU, 110004-GU, 110001-EI,
8 110007-EI, 110002-EG. And, I guess, officially I
9 must say that we called this prehearing to order, so
10 I will do that. And I will ask staff to read the
11 notice.

12 MS. CRAWFORD: Thank you, Commissioner.

13 Pursuant to notice, this time and place
14 has been set aside for the purpose of conducting a
15 prehearing conference in the following dockets:
16 110001-EI, 110002-EG, 110003-GU, 110004-GU, and
17 110007-EI. The purpose of the prehearing is set
18 forth more fully in the notice.

19 COMMISSIONER BRISÉ: Thank you.

20 At this time I will take appearances, and
21 since there are five dockets that we must address
22 today, we're going to take all of the appearances at
23 this time. We are going to from my left to right.

24 MR. GLENN: Alex Glenn on behalf of
25 Progress Energy Florida. Also, I will enter an

1 appearance for John Burnett, Dianne Triplett, and
2 Gary Perko in the ECRC docket, as well.

3 **MR. BADDERS:** Good morning, Commissioner.
4 Russell Badders on behalf of Gulf Power
5 Company. With me I have Jeffrey A. Stone and Steven
6 Griffin. We are all appearing on behalf of Gulf
7 Power in the 01, 02, and 07 dockets.

8 **MR. BEASLEY:** Good morning.
9 James D. Beasley and J. Jeffry Wahlen of
10 the law firm of Ausley and McMullen. We are
11 representing Tampa Electric Company in the 01, 02,
12 and 07 dockets.

13 **MR. BUTLER:** Good morning, Commissioner.
14 John Butler, Florida Power and Light
15 Company, appearing in the 01, 02, and 07 dockets.
16 Also appearing for FPL in the 02 docket is Ken
17 Rubin. Thank you.

18 **MS. KEATING:** Good morning, Commissioner.
19 Beth Keating with the Gunster law firm
20 appearing today on behalf of FPUC in the 01 docket,
21 FPUC in the 02 docket, FPUC and Florida City Gas in
22 the 03 docket, and FPUC, FPUC Indiantown,
23 Chesapeake, and Florida City Gas in the 04 docket.

24 **MR. McGLOTHLIN:** Do you have a scorecard
25 we can use for that?

1 (Laughter.)

2 Good morning. Joe McGlothlin of the
3 Office of Public Counsel. Also appearing will be
4 Patty Christensen and Charles Rehwinkel.

5 **MS. BROWNLESS:** Good morning. Suzanne
6 Brownless. I am appearing on behalf of the Florida
7 Solar Industries Association in the 02 docket.

8 **MR. CAVROS:** Good morning. George Cavros
9 on behalf of the Southern Alliance for Clean Energy
10 appearing in the 02 docket.

11 **MR. MOYLE:** John Moyle, Keefe Anchors
12 Gordan & Moyle law firm, appearing on behalf of the
13 Florida Industrial Power Users Group, FIPUG. I'd
14 like to also enter an appearance for my colleague,
15 Vicki Kaufman.

16 **CAPTAIN MILLER:** Good morning,
17 Commissioner.

18 I'm Captain Sam Miller. I'm making an
19 appearance on behalf of the Federal Executive
20 Agencies. I am also making an appearance on behalf
21 Karen White for the 01, 02, and 07 dockets.

22 **MR. TAYLOR:** Al Taylor on behalf of PCS
23 Phosphate, I'm also entering an appearance for Jay
24 Brew in the 01 and 02 dockets.

25 **MR. WRIGHT:** Good morning, Commissioner.

1 Schef Wright appearing on behalf of the
2 Florida Retail Federation in the 0001 docket. I
3 would also like to enter an appearance for my
4 partner, John T. Lavia, III, in the fuel docket on
5 behalf of the Federation. Thank you.

6 **MR. HORTON:** Commissioner, Norman H.
7 Horton, Jr. appearing in the 04 docket on behalf of
8 Sebring Gas System, Inc.

9 **MS. BENNETT:** Commissioner Brisé -- oh,
10 I'm sorry.

11 **COMMISSIONER BRISÉ:** I believe we have one
12 other appearance.

13 **MS. CHRISTENSEN:** I believe Mr. McGlothlin
14 also announced me, but Patty Christensen on behalf
15 of Office of Public Counsel.

16 **COMMISSIONER BRISÉ:** Thank you.
17 Staff.

18 **MS. BENNETT:** Lisa Bennett and Martha
19 Barrera on behalf of the Public Service Commission
20 in the 01 docket.

21 **MS. BROWN:** Martha Carter Brown and
22 Charles Murphy on behalf of the Commission in the 07
23 docket.

24 **MS. TAN:** Lee Eng Tan on behalf of the
25 Commission in the 02 docket.

1 **MS. CRAWFORD:** Jennifer Crawford on behalf
2 of the 03 and 04 docket. And, perhaps,
3 Commissioner -- oh, go ahead.

4 **MS. HELTON:** Mary Anne Helton, Advisor to
5 the Commission, in all the dockets.

6 **MS. CRAWFORD:** Sorry about that.

7 It would, perhaps, be appropriate to note
8 for the record that St. Joe Natural Gas Company and
9 Peoples Gas System have requested and received
10 permission to be excused from the prehearing
11 conference.

12 **COMMISSIONER BRISÉ:** Thank you.

13 * * * * *

14 **COMMISSIONER BRISÉ:** Now, let's proceed to
15 Docket 04. Docket Number 110004-GU, gas
16 conservation prehearing.

17 Are there any preliminary matters,
18 Ms. Crawford?

19 **MS. CRAWFORD:** Commissioner, there are
20 none of which staff is aware of, and none are
21 expected at this time. I would again note once more
22 for the record that Peoples Gas System and St. Joe
23 Natural Gas Company have been excused from attending
24 the 04 prehearing. And, also, again, it appears
25 that parties and staff are in agreement on all

1 issues as reflected in Sections VIII and X of the
2 prehearing order. Again, with OPC taking no
3 position on those issues.

4 **COMMISSIONER BRISÉ:** Okay. So we will go
5 through this quickly, again. And I guess I have to
6 go through all of them to give anybody an
7 opportunity just in case there is some change of
8 mind or opinion as we go through this.

9 Section I, case background. Section II,
10 conduct of proceedings. Section III, jurisdiction.
11 Section IV, procedure for handling confidential
12 information. Section V, prefiled testimony and
13 exhibits; witnesses. Section VI, order of
14 witnesses.

15 **MS. CRAWFORD:** Staff would note that with
16 the stipulation of issues it does appear that the
17 witnesses can be excused from the hearing in the '04
18 docket. Staff is in the process of confirming that
19 with each office and will convey that information to
20 the parties as quickly as possible. And it is my
21 hope and expectation that might be able to be
22 reflected in the prehearing order.

23 **COMMISSIONER BRISÉ:** Thank you.
24 Section VII, basic positions. Section VIII, issues
25 and positions.

1 **MS. CRAWFORD:** Again, just noting for the
2 record it does appear that there are proposed
3 stipulations on all issues.

4 **COMMISSIONER BRISÉ:** Section IX, exhibit
5 list.

6 **MS. CRAWFORD:** Staff has prepared and
7 distributed to the parties a proposed exhibit list
8 consisting of the exhibit list itself as well as all
9 prefiled testimony and exhibits. It's distributed
10 to the parties. The anticipation is that would be
11 presented at the hearing.

12 **COMMISSIONER BRISÉ:** Section X, proposed
13 stipulations.

14 **MS. CRAWFORD:** Proposed stipulations on
15 all issues at this time.

16 **COMMISSIONER BRISÉ:** Section XI, pending
17 motions. Section XII, pending confidentiality
18 motions. Section XIII, post-hearing procedures.
19 And Section XIV, rulings. I will ask if there --
20 I'm sorry. Opening statements I will say would be
21 limited to five minutes, and I'm assuming that you
22 all will waive that, as well, this time. So if you
23 could state that, so that we can have that in the
24 record.

25 **MS. CHRISTENSEN:** OPC would waive any

1 opening statements.

2 **MS. KEATING:** FPUC, Chesapeake, and
3 Florida City Gas would waive.

4 **COMMISSIONER BRISÉ:** Thank you.

5 **MR. HORTON:** And Sebring waives, as well.

6 **COMMISSIONER BRISÉ:** Thank you.

7 Other matters?

8 **MS. CRAWFORD:** Staff is aware of none.

9 **COMMISSIONER BRISÉ:** Okay. With that, at
10 this time we are going to adjourn or conclude this
11 particular docket, which is Docket 04.

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1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON)

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5 I, JANE FAUROT, RPR, Chief, Hearing Reporter
6 Services Section, FPSC Division of Commission Clerk,
do hereby certify that the foregoing proceeding was
heard at the time and place herein stated.

7

8 IT IS FURTHER CERTIFIED that I
stenographically reported the said proceedings; that
9 the same has been transcribed under my direct
supervision; and that this transcript constitutes a
true transcription of my notes of said proceedings.

10


I FURTHER CERTIFY that I am not a relative,
11 employee, attorney or counsel of any of the parties,
nor am I a relative or employee of any of the
12 parties' attorney or counsel connected with the
action, nor am I financially interested in the
13 action.

13

DATED THIS 24th day of October, 2011.

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JANE FAUROT, RPR
Official FPSC Hearings Reporter
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