

VOTE SHEET

April 10, 2012

Docket No. 110271-GU – Petition for approval of transportation service agreement with Florida Public Utilities Company, by Peninsula Pipeline Company, Inc.

Docket No. 110277-GU – Joint petition for approval of territorial agreement in Nassau and Duval Counties by Peoples Gas System and Florida Public Utilities Company; gas transportation agreement by Peoples Gas System and Peninsula Pipeline Company, Inc.; and application for approval of tariff revisions to reflect service in Nassau and Okeechobee Counties, by Florida Public Utilities Company

Issue 1: Should the Commission approve the Joint Petition for the Territorial Agreement in Nassau and Duval Counties between Peoples and FPUC, as well as FPUC’s tariff modifications to extend service in Nassau and Okeechobee Counties?

Recommendation: The Joint Petition for the Territorial Agreement in Nassau and Duval Counties between Peoples and FPUC is in the public interest and should be approved, pursuant to Section 366.04(3)(a), F.S. In addition, FPUC’s tariff modifications reflecting its extension of service into unserved areas in Nassau and Okeechobee Counties are appropriate and should be approved.

APPROVED

RECEIVED-FPSC
12 APR 10 PM 12:04
COMMISSION
CLERK

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

Julie
[Signature]
[Signature]
[Signature]
[Signature]

REMARKS/DISSENTING COMMENTS:

*Small modification, assigned
document no. 02086-12, attached.*

DOCUMENT NUMBER-DATE
02125 APR 10 09
FPSC-COMMISSION CLERK

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(Continued from previous page)

Issue 2: Should the Commission approve the revised Transportation Service Agreement between FPUC and PPC as filed on February 8, 2012, in Docket No. 110271-GU?

Recommendation: Yes. The revised Transportation Service Agreement between FPUC and PPC (revised agreement) as filed on February 8, 2012, in Docket No. 110271-GU, should be approved.

APPROVED

Issue 3: Should the Commission approve the Gas Transportation Agreement between Peoples and PPC as filed on January 26, 2012, in Docket No. 110277-GU?

Recommendation: Yes. The Gas Transportation Agreement (agreement) between Peoples and PPC as filed on January 26, 2012, in Docket No. 110277-GU, should be approved.

APPROVED

Issue 4: Should these dockets be closed?

Recommendation: Yes, if the Commission approves Issues 1, 2, and 3, the agreements should go into effect as requested and the modified tariffs should be approved administratively unless a protest is received within the specified time frame. The tariffs should become effective on April 10, 2012.

APPROVED

Ann Cole

From: Carlotta Stauffer
Sent: Friday, April 06, 2012 1:02 PM
To: Commissioners Advisors; CLK - Agenda Staff
Cc: Braulio Baez; Chuck Hill; Selena Chambers; Carlotta Stauffer
Subject: Item 7 - Docket Nos. 110271-GU and 110277-GU --- oral modification
fyi, oral modification granted

From: Braulio Baez
Sent: Friday, April 06, 2012 12:41 PM
To: Martha Barrera
Cc: Chuck Hill; Marshall Willis; Cheryl Bulecza-Banks; Connie Kummer; Elisabeth Draper; Patti Daniel; Stan Rieger; Curt Kiser; Mary Anne Helton; Jennifer Crawford; Carlotta Stauffer; Selena Chambers
Subject: RE: Item 7 - Docket Nos. 110271-GU and 110277-GU

Is it possible to prepare the modification as a handout to distribute to the Commissioners? In any case, the modification is OK here.

From: Martha Barrera
Sent: Friday, April 06, 2012 11:51 AM
To: Braulio Baez
Cc: Chuck Hill; Marshall Willis; Cheryl Bulecza-Banks; Connie Kummer; Elisabeth Draper; Patti Daniel; Stan Rieger; Curt Kiser; Mary Anne Helton; Jennifer Crawford; Carlotta Stauffer; Selena Chambers
Subject: Item 7 - Docket Nos. 110271-GU and 110277-GU

Staff is requesting permission to make a minor oral modification to Item 7; the language merely provides clarification and does not alter staff's recommendation. Staff requests that the following language be inserted after the third full paragraph on page 5, immediately before the conclusion section:

Staff notes that the addition of Okeechobee County to the proposed tariff's description of the territory served only represents a notice from the Utility that it intends to provide service in that area. FPUC currently has no firm contracts for service in the area. Staff therefore recommends that any order approving the proposed tariff include language noting that Commission approval does not convey any exclusive territorial rights to the FPUC utility for that county, nor does it preclude another utility from challenging FPUC's right to serve Okeechobee County under Section 366.04(3), F.S. and Rule 25-6.0441, F.A.C., when service is requested in the future.

Please advise if you have any questions or need any additional information; thank you.

Martha F. Barrera
Senior Attorney
Florida Public Service Commission
mbarrera@psc.state.fl.us
850 413-6212

Please note: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.

DOCUMENT NUMBER - DATE

02086 APR-6 2012

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4/6/2012