

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 130003-GU

PURCHASED GAS ADJUSTMENT  
(PGA) TRUE-UP.

\_\_\_\_\_ /

PROCEEDINGS: PREHEARING

COMMISSIONER  
PARTICIPATING: COMMISSIONER EDUARDO E. BALBIS  
PREHEARING OFFICER

DATE: Thursday, October 17, 2013

TIME: Commenced at 9:47 a.m.  
Concluded at 9:51 a.m.

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

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

## 1 APPEARANCES:

2 BETH KEATING, ESQUIRE, Gunster Law Firm,  
3 215 South Monroe Street, Suite 601, Tallahassee,  
4 Florida 32301-1839, appearing on behalf of Florida  
5 City Gas.

6 ANSLEY WATSON, JR., ESQUIRE, Macfarlane Law  
7 Firm, Post Office Box 1531, Tampa, Florida  
8 33601-1531, appearing on behalf of Peoples Gas  
9 System.

10 CHARLES REHWINKEL, and PATRICIA A.  
11 CHRISTENSEN, ESQUIRES, Office of Public Counsel, c/o  
12 The Florida Legislature, 111 W. Madison Street, Rm.  
13 812, Tallahassee, Florida 32393-1400, appearing on  
14 behalf of the Citizens of Florida.

15 MICHAEL LAWSON, ESQUIRE, FPSC General  
16 Counsel's Office, 2540 Shumard Oak Boulevard,  
17 Tallahassee, Florida 32399-0850, appearing on behalf  
18 of the Florida Public Service Commission Staff.

19 MARY ANNE HELTON, DEPUTY GENERAL COUNSEL,  
20 Florida Public Service Commission, 2540 Shumard Oak  
21 Boulevard, Tallahassee, Florida 32399-0850, Advisor  
22 to the Florida Public Service Commission.

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

1  
2           **COMMISSIONER BALBIS:** Okay. We are now moving  
3 on to the 03 docket, which is the purchased gas  
4 adjustment clause. Mr. Lawson, I believe this is your  
5 docket, so are there any preliminary matters that we  
6 need to address before this prehearing conference?

7           **MR. LAWSON:** Thank you. We would note for the  
8 record that St. Joe Natural Gas Company and Peoples Gas  
9 Company have been excused from this prehearing in this  
10 docket, and I believe the 04 docket, as well.

11           **COMMISSIONER BALBIS:** Okay, thank you. And  
12 now, again, we will go through the draft prehearing  
13 order following the same procedure that we did with the  
14 previous docket.

15           So, Section I, case background. Are there any  
16 questions or comments on that?

17           Hearing none, moving on to Section II, conduct  
18 of proceedings.

19           Section III, jurisdiction.

20           Section IV, procedure for handling  
21 confidential information.

22           Section V, prefiled testimony and exhibits;  
23 witnesses.

24           Section VI, order of witnesses.

25           **MR. LAWSON:** We'd note that at this time it

1 appears that all the witnesses can be excused pending  
2 the confirmation by the Commissioners, and we will  
3 confirm this with each Commissioner and contact the  
4 parties as soon as possible.

5 **COMMISSIONER BALBIS:** Okay, thank you.

6 Section VII, basic positions.

7 **MR. REHWINKEL:** Commissioner, the Public  
8 Counsel will take the same position that I read in the  
9 prior docket, which would be that OPC maintains that the  
10 respective utilities must satisfy their burden of proof  
11 for any and all monies sought in this proceeding. And  
12 there will be no position on all the issues, so we are  
13 not -- so it can be a Type II Stipulation in the  
14 dockets, in the issues.

15 **COMMISSIONER BALBIS:** Okay. But as far as the  
16 basic positions, the parties must satisfy the burden of  
17 proof?

18 **MR. REHWINKEL:** Yes, the way I read it. And I  
19 can provide that to staff, as well.

20 **COMMISSIONER BALBIS:** Okay. If you could,  
21 that would be great.

22 Any other revisions to basic positions?

23 Okay. The next section, issues and positions.

24 **MR. LAWSON:** We'd note that the parties and  
25 staff are proposing stipulation of all issues as

1 reflected in the issue and stipulation section of the  
2 draft prehearing order.

3 **COMMISSIONER BALBIS:** Okay. And hearing no  
4 objections from the parties, I'll have the record note  
5 that.

6 **MR. REHWINKEL:** And the Public Counsel will be  
7 no position, so there would be a Type II Stipulation on  
8 that.

9 **COMMISSIONER BALBIS:** Okay, thank you.

10 Section IX, exhibit list.

11 **MR. LAWSON:** We will be preparing a  
12 Comprehensive Exhibit List consisting of all the  
13 prefiled exhibits for the purpose of numbering and  
14 identifying the exhibits at the hearing, and we will in  
15 all probability stipulate that list, as well.

16 **COMMISSIONER BALBIS:** Okay, thank you.

17 Section X, proposed stipulations.

18 **MR. LAWSON:** As mentioned, all issues are  
19 proposed stipulations, and we'd note that OPC has taken  
20 no position on the issues and does not oppose the  
21 stipulation.

22 **COMMISSIONER BALBIS:** Okay, thank you.

23 Section XI, pending motions.

24 **MR. LAWSON:** We have no pending motions.

25 **COMMISSIONER BALBIS:** Section XII, pending

1 confidentiality motions.

2 **MR. LAWSON:** We have no pending  
3 confidentiality requests.

4 **COMMISSIONER BALBIS:** Okay. Section XIII, any  
5 questions or comments on post-hearing procedures?

6 Okay. Hearing none, we'll go on to  
7 Section XIV. Again, I'm inclined at this time to limit  
8 opening statements to five minutes per party. And now  
9 would be the opportunity for any party who has an issue  
10 with that to voice them, and you could also waive  
11 opening statements.

12 Staff, are there any other rulings?

13 **MR. LAWSON:** No, other than to note that  
14 St. Joe Natural Gas Company and Peoples Gas System's  
15 excusal from the prehearing in this docket will be  
16 included in our draft prehearing order.

17 **COMMISSIONER BALBIS:** Thank you. Are there  
18 any other matters to discuss with this docket?

19 **MR. LAWSON:** Not at this time.

20 **COMMISSIONER BALBIS:** And seeing none from the  
21 parties, we will go ahead and adjourn the prehearing for  
22 the 03 docket.

23 (The prehearing concluded at 9:51 a.m.)

1 STATE OF FLORIDA )

2 : CERTIFICATE OF REPORTER


3 COUNTY OF LEON )

4  
5 I, JANE FAUROT, RPR, Chief, Hearing  
6 Reporter Services Section, FPSC Division of  
7 Commission Clerk, do hereby certify that the  
8 foregoing proceeding was heard at the time and place  
9 herein stated.

10  
11 IT IS FURTHER CERTIFIED that I  
12 stenographically reported the said proceedings; that  
13 the same has been transcribed under my direct  
14 supervision; and that this transcript constitutes a  
15 true transcription of my notes of said proceedings.

16  
17 I FURTHER CERTIFY that I am not a relative,  
18 employee, attorney or counsel of any of the parties,  
19 nor am I a relative or employee of any of the  
20 parties' attorney or counsel connected with the  
21 action, nor am I financially interested in the  
22 action.

23  
24 DATED THIS 22nd day of October, 2013.

25  
  
\_\_\_\_\_  
JANE FAUROT, RPR  
Official FPSC Hearings Reporter  
(850) 413-6732