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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 130222-EI

PROPOSED AMENDMENT OF RULE
25-6.0423, F.A.C., NUCLEAR
OR INTEGRATED GASIFICATION
COMBINED CYCLE POWER PLANT
COST RECOVERY.

_____ /

PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 2

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

DATE: Tuesday, December 3, 2013

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

REPORTED BY: LINDA BOLES, CRR, RPR
Official FPSC Reporter
(850) 413-6734

P R O C E E D I N G S

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2 **CHAIRMAN BRISÉ:** All right. We will call this
3 meeting officially to order. We are going to take
4 certain items out of order. Item 4, 6A, and 1A will be
5 taken out of order.

6 At this point we're going to go ahead and move
7 to Item Number 2, and if we can proceed with that.

8 **MS. COWDERY:** Good morning, Commissioners.
9 I'm Kathryn Cowdery with the Office of General Counsel.

10 Item 2 concerns the proposed amendment of Rule
11 25-6.0423, *Florida Administrative Code*, Nuclear or
12 Integrated Gasification Combined Cycle Power Plant Cost
13 Recovery.

14 In 2013, the Legislature amended the
15 implementing statute, Section 366.93, *Florida Statutes*,
16 which addresses cost recovery for the siting, design,
17 licensing, and construction of nuclear and integrated
18 gasification combined cycle power plants.

19 Staff is recommending amendments to Rule
20 25-6.0423 in order to implement these legislative
21 changes. Staff is available to answer any questions.

22 **CHAIRMAN BRISÉ:** Commissioners, any questions
23 or comments on Item 2?

24 Commissioner Balbis.

25 **COMMISSIONER BALBIS:** Thank you, Mr. Chairman.

1 I have a question for staff.

2 In Senate Bill 1472 that led to this statute,
3 it was very specific on what utilities can and cannot
4 recover for. And my question is is the proposed rule
5 revision, is it specific enough as it pertains to this
6 statute so that it complies with, with the statute
7 itself?

8 **MR. HINTON:** Yes, Commissioner. The, the rule
9 amendments either incorporate language directly from the
10 statute or reference the statute directly in every, in
11 every amendment. And the specificity to implement is
12 either incorporated into our rule or it's on an annual
13 basis, or if it's, if it's a situation where it's not
14 something that takes place every year, we reference to
15 the statute where the specificity is included there, so.

16 **COMMISSIONER BALBIS:** Okay. And not to use
17 the word "specific" again, but my, my question really
18 pertains to the new paragraph 3 of the rule where it
19 does reference the statute, and that section of the
20 statute is clear in that what utilities can and cannot
21 recover for.

22 I just want to make sure that the rule is
23 specific enough so that it complies. Because I know --
24 I assume the Legislature worked very hard to get that
25 specific language in and I want to make sure we're

1 complying with that.

2 **MR. HINTON:** Yes. Staff believes that by
3 referencing the statute, the conditions under which they
4 can, they can achieve each, each of those -- the
5 approvals that they have to seek pursuant to
6 subsection 3 of the, of the new statute, the conditions
7 for obtaining that approval are within the statute
8 itself. So by referencing it, we feel that everything
9 is, is needed.

10 **COMMISSIONER BALBIS:** Okay. Thank you, Mr.
11 Chairman. That's all I had.

12 **CHAIRMAN BRISÉ:** All right. Thank you very
13 much.

14 I forgot -- I failed to mention that items 2,
15 3, 5, 6, 7, 8, and 9 will be voted upon as a block, and
16 item 1B included in that as well. Okay? If there are
17 no further questions, thank you very much.

18 * * * * *

19 **CHAIRMAN BRISÉ:** Okay. At this time we're
20 ready to entertain a motion on items 1B, 2, 3, 5, 6, 7,
21 8, and 9. Commissioner Edgar, you're recognized.

22 **COMMISSIONER EDGAR:** Thank you, Mr. Chairman.
23 I could say so moved, but just because I like to read
24 them, I'm going to move that we approve the staff
25 recommendation on items 1B, 2, 3, 5, 6, 7, 8, and 9.

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COMMISSIONER GRAHAM: Second.

CHAIRMAN BRISÉ: Okay. It's been moved and seconded. Is there any further discussion?

Okay. Seeing none, all in favor, say aye.

(Vote taken.)

All right. Thank you very much. By your vote you have approved staff recommendations on items 1B, 2, 3, 5, 6, 7, 8, and 9.

(Agenda item concluded.)

* * * * *

1 STATE OF FLORIDA)
2 COUNTY OF LEON)

CERTIFICATE OF REPORTER

3
4 I, LINDA BOLES, CRR, RPR, Official Commission
5 Reporter, do hereby certify that the foregoing
6 proceeding was heard at the time and place herein
7 stated.

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

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

18 DATED THIS 08th day of December,
19 2013.

20
21 Linda Boles

22 LINDA BOLES, CRR, RPR
23 FPSC Official Commission Reporters
24 (850) 413-6734
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