

1 In the Matter of:
2 DOCKET NO. 130272-WU
3 REQUEST TO REMOVE THE FINES IMPOSED FOR THE DELAY OF
4 FILING ANNUAL REPORTS FOR CEDAR ACRES, INC.

5
6 In the Matter of:
7 DOCKET NO. 140197-EI
8 PETITION FOR APPROVAL OF BASE RATE
9 ADJUSTMENT FOR EXTENDED POWER UPRATE
10 PROJECT BY FLORIDA POWER & LIGHT
11 COMPANY.

12 In the Matter of:
13 DOCKET NO. 120285-SU
14 APPLICATION TO TRANSFER WASTEWATER FACILITIES AND
15 CERTIFICATE NO. 137-S IN BREVARD COUNTY FROM COLONY
16 PARK UTILITIES, INC. TO COLONY PARK DEVELOPMENT
17 UTILITIES, LLC.

18 PROCEEDINGS: COMMISSION CONFERENCE AGENDA
19 ITEM NO. 1 - CONSENT AGENDA
20 ITEM NOS. 3 THROUGH 6

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

DATE: Tuesday, November 25, 2014

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

REPORTED BY: DEBRA R. KRICK
Court Reporter and
Notary Public in and for
State of Florida at Large

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

2 CHAIRMAN GRAHAM: Good morning, everybody.

3 AUDIENCE: Good morning.

4 CHAIRMAN GRAHAM: Standing room only. I like
5 this. We haven't had a nice package in like this
6 in a little while.

7 Okay. I am glad you all made it here safely
8 this morning. A bit drizzly, but, you know, I
9 guess we always need the rain. You have to excuse
10 my voice, I kind of overdid it at the Jaguar game
11 in Indianapolis this past weekend and still trying
12 to recover.

13 That being said, we will start with the
14 invocation and pledge led by Commissioner Brisé.

15 (Invocation and pledge.)

16 CHAIRMAN GRAHAM: Thank you, Commissioner
17 Brisé, for the invocation and pledge.

18 Before we get started on the agenda, I am
19 going to take, I guess we refer to it a little
20 privilege of the Chair.

21 All of the Commissioners just got back from a
22 trip from San Francisco. And I don't know if you
23 know or not, but our own Lisa Edgar is now the
24 first -- the first Florida representative to be
25 President of NARUC, which is an incredible task.

1 And one of the things I want to do -- she had Julie
2 Brown put together a video that they showed -- that
3 they showed at her nomination, so I would like for
4 us to see that video now so you can kind of
5 experience come of what Lisa experienced.

6 (Video presentation.)

7 CHAIRMAN GRAHAM: It's interesting. I know
8 when we first got here four years ago, the
9 legislators had said to us said, we want -- we want
10 to get the PSC back to its -- the way it used to
11 be, a nice, well run collegial body. I think Lisa
12 is the epitome of that.

13 I think Lisa -- as I said when we were out at
14 NARUC, that we are Team Florida. When we walk in
15 there, everybody knows who we are, and we are
16 always together and we are always pretty tight.
17 And I think that team has brought our very first
18 President of NARUC forward in 125 years, and I am
19 very proud of you. And I am glad that you are
20 willing to put yourself out there, your family is
21 willing to put yourself out there, and you are
22 willing to do this for the state of Florida.

23 (Applause from the audience.)

24 CHAIRMAN GRAHAM: Julie.

25 COMMISSIONER BROWN: Thank you.

1 I want to say, Lisa didn't ask me to prepare
2 that video. Just a clarification. But I am very
3 grateful for our staff, who did such a tremendous
4 job sending me your Bev DeMello, Dick Durbin and
5 the support of, of course, Braulio Baez and all of
6 the former Commissioners and current commissioners
7 that participate -- of course, you got to see the
8 current commissioners actually ribbed her. If you
9 noticed, the former commissioners didn't.

10 But nonetheless, we are -- it was such an
11 honor to be able to nominate Lisa during the NARUC
12 presidency, but obviously it's even more of an
13 honor to be serving with her over the past four
14 years, and have another two or so to serve with
15 her, because she is a tremendous leader here at the
16 Florida Public Service Commission, and of course,
17 on a NARUC level, she's going to be stupendous.

18 As a lot of the commissioners indicated, she
19 has really amazing traits that indicate her ability
20 to lead. She has such an exemplary service, her
21 decades of service to this state. Sorry.

22 But, you know, I think one of the highlights,
23 and I think Former Commission Deason alluded, and
24 was constant, Commissioner Ellen Nowak, she
25 seconded my motion, she said that Lisa is a

1 survivor. And that is so true. She is a woman of
2 grit and wit. And quite frankly, it is just an
3 honor to know somebody like her. She's always
4 professional, and she's always willing to give
5 professional courtesy to us and to those that
6 appear before us.

7 So I am so elated to support her in her
8 presidency. And I think it really puts Florida on
9 the map even further. And I think we are going to
10 see some great, great years ahead, and this year is
11 going to be stupendous.

12 Congratulations.

13 CHAIRMAN GRAHAM: Well, Lisa, you are now in
14 the major leagues. And the four of us got together
15 and we thought, what is it that a person that the
16 major league needs, and I think we got the perfect
17 tool for you. You can't be in the major leagues
18 without a bat.

19 Congratulations, Lisa Edgar, 2015 NARUC
20 President. We are very proud of you.

21 (Applause from the audience.)

22 COMMISSIONER EDGAR: I was waiting for the
23 Chairman to recognize me.

24 This is incredible. And I will tell you all,
25 it is -- well, first of all, you spelled my name

1 right. That doesn't always happen in the
2 newspapers. And it's Garnet & Gold, which, of
3 course, is extra special. So now I have to hit a
4 home run on a daily basis, I think; which is
5 daunting. Thank you very much.

6 Very briefly, for the record. I did ask
7 Commissioner Brown to make my nomination, which she
8 very graciously agreed to do. I did not know that
9 she was going to put the video together. That was
10 a complete surprise to me when we were at the
11 meeting last week. And I, too, thank Cindy and Bev
12 and the others that put their time and talents into
13 that.

14 To my former colleagues, Matt Carter, Katrina
15 McMurrian and Terry Deason for agreeing to
16 participate. What a nice surprise. I had no idea.

17 And former Commissioner Susan Clark, Lila
18 Jaber and Chuck Davidson, each of whom have become
19 dear friends, in appropriate ways. And actually,
20 Chuck and I did serve together for a very brief
21 period of time. And our Executive Director,
22 Braulio Baez, who was my Chairman when I came here
23 and was sitting in that same seat that Commissioner
24 Brown is in now.

25 Commissioner Balbis, my kids say, when they

1 know they have made me angry or disappointed me,
2 they will say, mom, don't give me the look. Please
3 don't give me the look. So I think that may be the
4 same look that you are referring to.

5 And I have, probably more times than I should,
6 reminded people that I have been here when some
7 have come and been here when some have gone. And
8 just for the record, I have already let
9 Representative Patronis know that he will be the
10 17th commissioner that I will sit with and
11 deliberate up here.

12 I still cannot believe that my friend, Ron
13 Brisé, called me old in front of hundreds of
14 people. He may be the only person that can get
15 away with that.

16 And, Commissioner Brown, I noticed that
17 somehow you left yourself out of that video.

18 COMMISSIONER BROWN: I did.

19 COMMISSIONER EDGAR: I got that. I dot that.

20 And on a very personal note, I was reminded
21 watching that, there was a hearing a number of
22 years ago that extended way beyond when we thought
23 that it initially -- the time that we had initially
24 planned that we thought would be needed, and we did
25 go late evenings, and there have been some where we

1 have gone weekends and extended days and days, and
2 there was one hearing that I went on and on and on,
3 and then long nights, and then trying to get my
4 kids to school in the morning and hit a baseball
5 game and soccer game here and there, and so I
6 wasn't able to tend some other personal items.

7 And I can remember giving a talk at one point,
8 an issue that I thought was impassioned, and I was
9 witty, and I was articulate, and made my points.
10 And the next day I read in the newspaper that I had
11 really bad hair and I needed to get a haircut;
12 which was absolutely true, but who had time? So
13 thank you for showing one of my bad hair days in
14 one of those clips.

15 I have learned so much over the years. And I
16 cannot express in words how much these last few
17 veers have meant me personally and professionally
18 to work with these fine, fine public servants. And
19 as you all know, we don't always agree, and you
20 will probably see some of that today, but we truly
21 do have respect for one another and our opinions.
22 And that makes it a joy to do this work on behalf
23 of the state of Florida.

24 I have also had the privilege of learning a
25 great deal from having the opportunity to be more

1 involved in the National Association of regulatory
2 Utility Commissioners, and therefore, interaction
3 with other state commissioners, state officials,
4 public counsels, DEP officials coast to coast in
5 all 50 states and beyond, and a number of federal
6 agencies. And I am very, very determined to use
7 this additional role to further the issues that are
8 important here in the state of Florida.

9 It is an honor. It is a privilege. And I
10 have already -- I have had this new title for less
11 than a week, and already the reality of how much
12 additional workload there is as we has begun to hit
13 home, a whole lot morphine calls and e-mails.
14 However, the most important thing to me will always
15 be doing what is the right thing in this role as a
16 commissioner on the Florida Public Service
17 Commission with my wonderful colleagues.

18 So I did not know that you were going to do
19 this this morning. Thank you. Thank you for your
20 friendship. Thank you for your support. And I am
21 going to need all of it over the next year. And
22 thank you for everyone who cares about the work
23 that we do, and supports us whether you agree with
24 our decisions or not. Thank you.

25 (Applause from the audience.)

1 CHAIRMAN GRAHAM: Okay. Number 1, I want to
2 thank everybody for allowing us to do that. We are
3 going to cruise through the agenda kind of old
4 school.

5 We are going to -- we have move staff on Item
6 Numbers 1, 3, 5 and 6. Number 2 we are going to
7 have to take up later. So if I can get a motion on
8 those five items.

9 COMMISSIONER BRISÉ: Moved.

10 COMMISSIONER BROWN: Second.

11 CHAIRMAN GRAHAM: It's been moved and seconded
12 move staff on Items 1, 3, 5 and 6.

13 Any further discussion?

14 Seeing none --

15 COMMISSIONER BALBIS: Mr. Chairman.

16 CHAIRMAN GRAHAM: Yes.

17 COMMISSIONER BALBIS: I do want to make one
18 comment since we are doing this old school.

19 CHAIRMAN GRAHAM: Sure.

20 COMMISSIONER BALBIS: You know, I just --
21 brief comment on Item Number 3, and I had asked for
22 an additional late filed exhibit identifying what
23 the \$1 fuel charge was going to offset. And my
24 concern at the time was that the \$38.5 million
25 would not be in excess of what is needed for the

1 accelerated recovery of the interest.

2 And based on that exhibit and staff's
3 recommendation, the AFUDC is \$74.6 million, which
4 of course is more than the \$38.5 million, so I am
5 comfortable with supporting staff's recommendation
6 on all the issues on that item, and the other items
7 in the motion.

8 CHAIRMAN GRAHAM: Any further discussion?

9 All in favor say aye.

10 (Chorus of ayes.)

11 CHAIRMAN GRAHAM: Any opposed?

12 (No response.)

13 CHAIRMAN GRAHAM: By your action, you have
14 approved staff recommendations items one, three,
15 four, five and six.

16 (Agenda items concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA R. KRICK, Professional Court
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'
attorney or counsel connected with the action, nor am I
financially interested in the action.

DATED THIS 4th day of December, 2014.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #EE212307
EXPIRES JULY 13, 2016