

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

NATURAL GAS CONSERVATION COST
RECOVERY.

DOCKET NO. 150004-GU

PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONER
PARTICIPATING: CHAIRMAN ART GRAHAM
PREHEARING OFFICER

DATE: Monday, October 19, 2015

TIME: Commenced at 2:14 p.m.
Concluded at 2:19 p.m.

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

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

1 APPEARANCES:

2 BETH KEATING, ESQUIRE, Gunster Law Firm, 215
3 South Monroe Street, Suite 601, Tallahassee, Florida
4 32301-1839, appearing on behalf of Florida Division of
5 Chesapeake Utilities Corporation (CUC), Florida Public
6 Utilities Company (FPUC), Florida Public Utilities
7 Company - Indiantown Division (Indiantown), Florida
8 Public Utilities - Fort Meade (Fort Meade), and Florida
9 City Gas.

10 J.R. KELLY, PUBLIC COUNSEL and CHARLES
11 REHWINKEL, DEPUTY PUBLIC COUNSEL, Office of Public
12 Counsel, c/o The Florida Legislature, 111 West Madison
13 Street, Room 812, Tallahassee, Florida 32399-1400,
14 appearing on behalf of the Citizens of the State of
15 Florida.

16 NORMAN H. HORTON, ESQUIRE, Messer Law Firm,
17 P.O. Box 15579, Tallahassee, Florida 32317, appearing on
18 behalf of Sebring Gas System, Inc.

19 LESLIE AMES and KELLEY CORBARI, ESQUIRES,
20 Florida Public Service Commission, 2540 Shumard Oak
21 Boulevard, Tallahassee, Florida 32399-0850, appearing on
22 behalf of the Florida Public Service Commission.

1 APPEARANCES (Continued):

2 MARY ANNE HELTON, ESQUIRE, Advisor to the
3 Commission, 2540 Shumard Oak Boulevard, Tallahassee,
4 Florida 32399-0850, appearing as advisor to the Florida
5 Public Service Commission.

6 CHARLIE BECK, General Counsel, Florida
7 Public Service Commission, 2540 Shumard Oak Boulevard,
8 Tallahassee Florida, appearing as General Counsel to the
9 Florida Public Service Commission.

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P R O C E E D I N G S

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2 **CHAIRMAN GRAHAM:** Okay. I figure the sooner
3 we get started, the sooner we can get done.

4 We will call this prehearing to order. Let
5 the record show it is Monday at 2:00, and this is the
6 fuel clause prehearing.

7 Staff, if -- excuse me. Staff, if I can get
8 you to read the notice, please.

9 **MS. MAPP:** By notice issued October 5th, 2015,
10 this time and place is set for a Prehearing Conference
11 in the following dockets: 150001-EI, 150002-EG,
12 150003-GU, 150004-GU, and 150007-EI. The purpose of the
13 prehearing is set out in the notice.

14 **CHAIRMAN GRAHAM:** Okay. I think we need to
15 take appearances.

16 **MR. BUTLER:** Good afternoon, Mr. Chairman.
17 John Butler appearing on behalf of Florida Power & Light
18 Company in the 01, 02, and 07 dockets. I'd also like to
19 enter an appearance for Wade Litchfield and Maria
20 Moncada in those three dockets, and for Jessica Cano in
21 the 01 docket only. Thank you.

22 **MR. BERNIER:** Good afternoon, Mr. Chairman.
23 Matt Bernier for Duke Energy Florida, and making an
24 appearance in the 01, 02, and 07 dockets. I'd also like
25 to enter an appearance for Dianne Triplett in those same

1 dockets and John Burnett in the 01 docket only. Thank
2 you.

3 **MR. BEASLEY:** Good afternoon, Chairman Graham.
4 James D. Beasley appearing with J. Jeffry Wahlen, Ashley
5 M. Daniels in the 01, 02, and 07 dockets for Tampa
6 Electric.

7 **MR. BADDERS:** Good afternoon, Chairman.
8 Russell Badders on behalf of Gulf Power Company in the
9 01, 02, and 07 dockets. I'd also like to enter an
10 appearance for Jeffrey A. Stone and Steven R. Griffin in
11 the same dockets.

12 **MS. KEATING:** Good afternoon, Mr. Chairman.
13 Beth Keating with the Gunster Law Firm here this
14 afternoon for FPUC in the 01 and 02 dockets. Also here
15 for FPUC in the 03 dockets, as well as Florida City Gas.
16 And in the 04 docket appearing for FPUC, FPUC Fort
17 Meade, FPUC Indiantown Division, Chesapeake, and Florida
18 City Gas.

19 **MS. PUTNAL:** Good afternoon, Chairman Graham.
20 I'm Karen Putnal. I'm here today on behalf of the
21 Florida Industrial Power Users Group. I'd like to make
22 an appearance in the 01, 02, and 07 dockets, and also
23 enter an appearance for Jon Moyle in those same dockets.
24 Thank you.

25 **MR. LAVIA:** Good afternoon, Mr. Chairman.

1 J. LaVia with the Gardner Law Firm making an appearance
2 in the 01 docket on behalf of the Florida Retail
3 Federation. I'd also like to make an appearance for my
4 law partner Robert Scheffel Wright in the same
5 01 docket. Thank you.

6 **MR. KOPON:** Good afternoon, Mr. Chairman.
7 Owen Kopon for PCS Phosphate/White Springs in the 01,
8 02, and 07 dockets. And I'd also like to make an
9 appearance for James Brew and Laura Wynn.

10 **MR. REHWINKEL:** Good afternoon, Mr. Chairman.
11 Let me try to do this. Charles J. Rehwinkel with the
12 Office of Public Counsel making an appearance in all
13 dockets, along with J. R. Kelly in all dockets.

14 In the 02 docket that would -- the appearance
15 would be additionally with Patricia Christensen. In the
16 03 docket, Patricia Christensen also. In the 04 docket,
17 I am the only one making an appearance in addition to
18 Mr. Kelly. And in the 07 docket, Patricia Christensen
19 also.

20 Let me go back to the 01 docket. The
21 appearances will also be Patricia Christensen, John
22 Truitt, and Erik Sayler in addition to myself and
23 Mr. Kelly. Thank you.

24 **CHAIRMAN GRAHAM:** Okay.

25 **MR. HORTON:** Mr. Chairman, Norman H. Horton,

1 Jr., appearing in the 04 docket for Sebring Gas.

2 **CHAIRMAN GRAHAM:** That's the 04 docket?

3 **MR. HORTON:** Yes, sir. The 04 docket.

4 **CHAIRMAN GRAHAM:** Okay.

5 **MS. MAPP:** Kyesha Mapp appearing in the
6 03 docket, Suzanne Brownless -- and making an appearance
7 for Suzanne Brownless, Danijela Janjic, and John
8 Villafrate in the 01 docket; Lee Eng Tan and Bianca
9 Lherisson in the 02 docket; Leslie Ames and Kelley
10 Corbari in the 04 docket; and Charles Murphy in the 07
11 docket.

12 **CHAIRMAN GRAHAM:** Okay. Was that --

13 **MS. HELTON:** Mary Anne Helton. I'm here as an
14 advisor for you in all of the dockets.

15 **MR. BECK:** And Charlie Beck, General Counsel.

16 **CHAIRMAN GRAHAM:** Is that all the appearances?
17 Okay. So the order of the dockets today are
18 going to be the 03 docket, then the 04 docket, then the
19 02 docket, then the 07 docket, and then the 01 docket.

20 * * * * *

21 **CHAIRMAN GRAHAM:** And we will move into Docket
22 4. Staff, preliminary matters.

23 **MS. AMES:** Staff just notes for the record
24 that St. Joe has been excused from the prehearing and
25 hearing in this docket, as well as Peoples Gas has been

1 excused from the Prehearing Conference. There are no
2 other preliminary matters that staff is aware of.

3 **CHAIRMAN GRAHAM:** Anybody else have any other
4 preliminary matters for Docket No. 4?

5 Okay. Once again, we will proceed through the
6 Prehearing Order. We may go through it pretty quickly,
7 so don't be afraid to speak up. We'll go through
8 section by section. Let me know if there's anything
9 that needs to be changed or added.

10 Section I in Docket 04, anything to be
11 adjusted? Section II, Section III, Section IV. You
12 guys are making me happy already. Section V, Section
13 VI.

14 **MS. AMES:** Chairman, staff would just like to
15 note that based on the positions the parties have taken,
16 staff is hopeful that stipulation can be reached on the
17 issues with witnesses excused, if no Commissioner seeks
18 cross-examination, and staff is continuing to work
19 towards stipulations.

20 **CHAIRMAN GRAHAM:** Anything else for Section
21 VI? Section VII, Section VIII.

22 **MR. REHWINKEL:** Mr. Chairman --

23 **MS. AMES:** Staff --

24 **CHAIRMAN GRAHAM:** OPC.

25 **MR. REHWINKEL:** Yeah. Like on 03, the Public

1 Counsel will be submitting verbiage that will indicate
2 that we take no position, thus facilitating a Type 2
3 stipulation if staff and other companies are all in
4 agreement.

5 **CHAIRMAN GRAHAM:** Okay. Staff, Section VIII.

6 **MS. AMES:** Staff notes that the Order
7 Establishing Procedure requires that a party take a
8 position at the Prehearing Conference unless good cause
9 is shown as to why a party cannot. If a party's
10 position in the Draft Prehearing Order is currently no
11 position at this time, that party must change its
12 position or show good cause why it cannot.

13 Staff suggests the parties who have not taken
14 a position or wish to change their position be allowed
15 to submit in writing no later than close of business
16 tomorrow, October 20th.

17 **CHAIRMAN GRAHAM:** Anything else from Section
18 VIII? Section IX.

19 **MS. AMES:** Staff notes that it has prepared a
20 draft Comprehensive Exhibit List which includes all
21 prefiled exhibits and includes those exhibits staff
22 wishes to include in the record. Staff will be
23 circulating the draft list to determine if there are any
24 objections or -- of staff's exhibits being entered into
25 the record.

1 **CHAIRMAN GRAHAM:** Anything else for Section
2 IX? Section X.

3 **MS. AMES:** Currently there are no proposed
4 stipulations; however, staff would like to note the
5 parties have expressed a willingness to stipulate, and
6 staff is continuing to work to that.

7 **CHAIRMAN GRAHAM:** Section XI.

8 **MS. AMES:** There are no pending motions.

9 **CHAIRMAN GRAHAM:** Section XII.

10 **MS. AMES:** And no pending confidentiality.

11 **CHAIRMAN GRAHAM:** Section XIII.

12 **MS. AMES:** If parties agree to waive brief --
13 briefs, the Commission may make a bench decision for the
14 portion of this docket. If there are any issues to be
15 briefed, staff recommends post-hearing briefs be no
16 longer than 20 pages.

17 **CHAIRMAN GRAHAM:** Are all parties in agreement
18 with that? Okay.

19 **MS. AMES:** And staff notes that the briefs
20 will be due on November 13th.

21 **CHAIRMAN GRAHAM:** All right. Once again, same
22 thing as before, opening statements will be limited to
23 five minutes. Feel free to waive them if it's not
24 necessary. And your briefs, excuse me, as spoken
25 earlier, will be limited to 20 pages.

1 Okay. Other matters. Are there any other
2 matters that need to be addressed in this Prehearing
3 Conference?

4 **MS. AMES:** There are no other matters.

5 **CHAIRMAN GRAHAM:** You guys are making me very
6 happy today. All right. We will adjourn the 04 --
7 excuse me. We'll adjourn the 04 docket.

8 (Prehearing Conference adjourned at 2:19 p.m.)
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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 20th day of October, 2015.

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LINDA BOLES, CRR, RPR
FPSC Official Hearings Reporter
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