

FLORIDA PUBLIC SERVICE COMMISSION

Item 1

VOTE SHEET

FILED MAY 05, 2016  
DOCUMENT NO. 02753-16  
FPSC - COMMISSION CLERK

May 5, 2016

Docket No. 150259-GU – Initiation of show cause proceedings against Peoples Gas System for apparent violations of Sections 368.01 - 05, F.S., and Chapter 25-12, F.A.C.

**Issue 1:** Should the Commission approve the proposed Settlement Agreement (Attachment A to staff's memorandum dated April 22, 2016) to resolve Peoples Gas System's apparent violations of Sections 368.01-.05, F.S., and Chapter 25-12, F.A.C., and all claims set forth in the petition filed by OPC in this docket?

**Recommendation:** Yes. The Settlement Agreement provides a reasonable resolution of the outstanding issues in the docket. Staff recommends that the Settlement Agreement is in the public interest and promotes administrative efficiency. Therefore, the Commission should approve the Settlement Agreement to resolve Peoples Gas Systems' apparent violations of Sections 368.01-.05, F.S., and Chapter 25-12, F.A.C., that occurred between June 1, 2013 and December 31, 2015, including any alleged violations of reasonably related rules or standards outlined in Appendix A of the Settlement Agreement that may have occurred up to the date the Settlement Agreement takes effect, and all claims set forth in the petition filed by OPC in this docket.

**APPROVED**

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

*[Handwritten signatures in black and blue ink over horizontal lines]*

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**REMARKS/DISSENTING COMMENTS:**

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**Issue 2:** Should the docket be closed?

**Recommendation:** No. If the Commission approves staff's recommendation in Issue 1, then the docket may be closed administratively upon receipt of Peoples Gas System's petition for approval of its 2017 Rider CI/BSR monthly surcharges, demonstrating its implementation of the \$2,000,000 one-time credit and receipt of the \$1,000,000 penalty payment. Should Peoples Gas System fail to comply with any of the terms of the proposed Settlement Agreement, staff requests that the Commission authorize the Office of the General Counsel to pursue all reasonable means necessary to enforce the terms of the Settlement Agreement, including any Commission Order approving same, pursuant to Sections 120.69 and 368.061, F.S., including, but not limited to, initiating an action in circuit court.

**APPROVED**