

P R O C E E D I N G S

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2 **CHAIRMAN BROWN:** Okay. Let's move to Item 2.
3 Staff.

4 **MS. TAN:** Good morning, Commissioners. Lee
5 Eng Tan on behalf of Commission staff. Item 2 is a
6 joint motion by Duke, FPL, Gulf, TECO, FPUC for a waiver
7 of Rule 25-17.015(1)(b), *Florida Administrative Code*, in
8 the Energy Conservation Cost Recovery Clause docket,
9 Docket No. 160002 .

10 Rule 25-17.015(1)(b) requires that the
11 electric utilities make actual and estimated filings
12 based upon eight months of actual data and four months
13 of projected data. Duke, FPL, Gulf, TECO, and FPUC have
14 asked that the rule be waived and request a file based
15 upon six months of actual data and six months of
16 estimated data. The companies are all available for
17 questions, and staff is also available for questions.

18 **CHAIRMAN BROWN:** Thank you, Ms. Tan. Why a
19 two-year waiver? Based on the facts, it seems that it
20 should only apply to this year.

21 **MS. TAN:** Staff is planning on taking a rule
22 change, and we're looking to do that within the next --
23 in the near future.

24 **CHAIRMAN BROWN:** What would the rule change?
25 What's the proposed rule change?

1 **MS. TAN:** We are looking to change the time
2 frame of -- from being in the rule to -- into another
3 format, perhaps into the Order Establishing Procedure,
4 but that is to be determined.

5 **CHAIRMAN BROWN:** When can we expect to see
6 something?

7 **MS. TAN:** In the near future.

8 **CHAIRMAN BROWN:** That's spoken like a lawyer.

9 (Laughter.)

10 **MS. TAN:** We are looking to take it within the
11 next year. But in order to accommodate the filings, it
12 is best that we have the waiver within the two-year
13 period.

14 **CHAIRMAN BROWN:** Thank you. Any other
15 questions? If not, can I get a motion?

16 **COMMISSIONER GRAHAM:** Move staff.

17 **COMMISSIONER BRISÉ:** Second.

18 **CHAIRMAN BROWN:** All those in favor, say aye.

19 (Vote taken.)

20 Motion passes. Thank you.

21 (Agenda item concluded.)

1 STATE OF FLORIDA)
2 COUNTY OF LEON) : CERTIFICATE OF REPORTER

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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 18th day of October, 2016.

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LINDA BOLES

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