

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition for review and determination on )  
the project construction and gas )  
transportation agreement between NUI ) DOCKET NO. 160175-GU  
Utilities, Inc. d/b/a City Gas Company )  
of Florida and Florida Crystals ) FILED: January 6, 2017  
Corporation, and approval of an )  
interim service arrangement. )  
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**FLORIDA CRYSTALS' UNOPPOSED MOTION FOR CLARIFICATION**

Florida Crystals Corporation ("Florida Crystals"), pursuant to Rules 25-22.0376 and 28-106.204, Florida Administrative Code ("F.A.C."), hereby respectfully files this Unopposed Motion for Clarification ("Unopposed Motion") of Commission Order No. PSC-16-0581-PCO-GU (hereinafter, the "Order"), issued in this docket on December 27, 2016. Pursuant to Rule 25-22.0376, F.A.C., and the Order itself, this Unopposed Motion is timely filed.

In summary, Florida Crystals is concerned that certain of the statements in the Order are susceptible to being construed or interpreted as being declarative and potentially determinative of issues in this docket. Accordingly, Florida Crystals seeks clarification of the Order that the Commission intends the Order to be preliminary in nature and effect, and that it not be construed as being declarative or determinative of any issues in the case. Florida Crystals has conferred with Florida City Gas ("FCG"), whose petition initiated this docket, and also with the Commission Staff, and understands from those conferral conversations that both

FCG and the Staff agree that such clarification is appropriate and that they do not oppose such clarification being granted.

Accordingly, Florida Crystals respectfully asks the Commission to grant clarification by issuing an order stating the following:

This Order is preliminary and based solely on the representations of the Parties that the Commission has before it at this time. No Party is precluded from raising and identifying appropriate issues or from presenting evidence and argument on any issue in this case.

The Commission has the inherent authority to clarify its orders that are still under its control, including preliminary or interlocutory orders such as Order No. PSC-16-0581 in this docket, and has issued orders granting clarification. See In re: Application for Increase in Water Rates in Franklin County by Water Management Services, Inc., Docket No. 100104-WU, Order No. PSC-11-0156-FOF-WU, Order Denying OPC's Motion for Reconsideration and Granting OPC's Motion for Clarification (Fla. Pub. Serv. Comm'n, March 7, 2011); In Re: Fuel and Purchased Power Cost Recovery Clause with Generating Performance Incentive Factor, Docket No. 070001-EI, Order No. PSC-07-0330-FOF-EI, Order Granting Motion for Clarification and Denying Motion for Reconsideration (Fla. Pub. Serv. Comm'n, April 16, 2007); In Re: Application for Increase in Wastewater Rates in Monroe County by K W Resort Utilities Corp., Docket No. 070293-SU, Order No. PSC-07-0851-PCO-SU, Second Order Revising Order Establishing Procedure,

Order Granting in Part and Denying in Part K W Resort Utilities Corp's Request for Clarification, (Fla. Pub. Serv. Comm'n, Oct. 25, 2007).

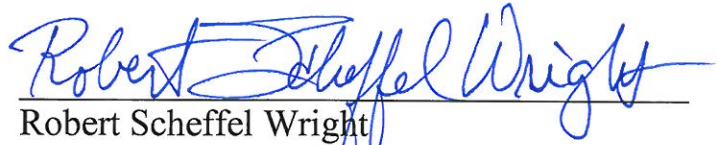
Clarification will not prejudice any party's rights or positions and will promote the expeditious and efficient processing of this case.

WHEREFORE, for the reasons stated above, Florida Crystals Corporation respectfully moves the Commission to issue an order granting clarification of Order No. PSC-16-0581-PCO-GU with the following language:

We hereby grant clarification of Order No. PSC-16-0581-PCO-GU to clarify that that Order is preliminary and based solely on the representations of the Parties that the Commission has before it at this time. No Party is precluded from raising and identifying appropriate issues or from presenting evidence and argument on any issue in this case.

The undersigned has conferred with counsel for FCG and attorneys for the Commission Staff and is authorized to represent that neither FCG nor the Commission Staff oppose the requested clarification.

Respectfully submitted this 6th day of January 2017.



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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the following, by electronic delivery, on this 6th day of January, 2017.

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Attorney