



**JOE NEGRON**  
*President of the Senate*

**J.R. KELLY**  
*Public Counsel*

**STATE OF FLORIDA  
OFFICE OF PUBLIC COUNSEL**

c/o THE FLORIDA LEGISLATURE  
111 WEST MADISON ST.  
ROOM 812  
TALLAHASSEE, FLORIDA 32399-1400  
1-800-342-0222

EMAIL: [OPC\\_WEBSITE@LEG.STATE.FL.US](mailto:OPC_WEBSITE@LEG.STATE.FL.US)  
[WWW.FLORIDAOPC.GOV](http://WWW.FLORIDAOPC.GOV)



**RICHARD CORCORAN**  
*Speaker of the House of  
Representatives*

May 7, 2018

Ms. Carlotta Stauffer, Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: Docket No. 20180053-GU- Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Public Utilities Company – Fort Meade Division.

Dear Ms. Stauffer:

Attached for filing in the above-referenced docket is the Additional Comment of the Office of Public Counsel which was originally filed with the Commission on Friday, May 4, 2017. However, because the above-referenced docket was misidentified in the May 4, 2017, filing, we submit this corrective filing.

Thank you for your assistance with this filing. Please don't hesitate to let me know if you have any questions.

Sincerely,

*s/ Virginia L. Ponder*

Virginia L. Ponder  
Associate Public Counsel  
Office of Public Counsel  
111 West Madison Street; Room 812  
Tallahassee, FL 32399-1400  
850-717-0340  
[ponder.virginia@leg.state.fl.us](mailto:ponder.virginia@leg.state.fl.us)

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Peoples Gas System.	DOCKET NO. 20180044-GU
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Tampa Electric Company	DOCKET NO. 20180045-EI
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Power & Light Company	DOCKET NO. 20180046-EI
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Duke Energy Florida, LLC.	DOCKET NO. 20180047-EI
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Public Utilities Company-Electric	DOCKET NO. 20180048-EI
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 Florida Public Utilities Company - Gas	DOCKET NO. 20180051-GU
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Public Utilities Company - Indiantown Division	DOCKET NO. 20180052-GU
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Public Utilities Company - Fort Meade Division	DOCKET NO. 20180053-GU
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Public Utilities Company - Fort Meade Division.	DOCKET No. 20180054-GU

**ADDITIONAL COMMENT OF THE OFFICE OF PUBLIC COUNSEL**

The Citizens of the State of Florida, through the Office of Public Counsel (OPC), pursuant to the Order Requesting Additional Comment issued in the above-identified nine dockets, Order No. PSC-2018-0224-PCO-PU (Comment Order), hereby submits this additional comment to its

Motion for Emergency Hearing Concerning Scheduling and Discovery Procedures (Motion) filed on April 30, 2018, and states the following:

1. In its Motion, OPC specifically sought a hearing to discuss the scheduling and discovery procedures for all nine dockets identified above to facilitate a fair schedule for all parties. The Comment Order seeks suggested time frames from OPC.

2. OPC is unable to provide exact time frames in all nine dockets because it does not have access to the Florida Public Service Commission's (Commission) calendar. The Commission is responsible for the management of its calendar and the dockets pending before it. Moreover, there are nine parties, as well as at least one other intervenor, affected by any schedule implemented in these dockets and all parties deserve to be heard. Nonetheless, OPC has endeavored to provide the Commission with a scheduling proposal as set forth below.

3. As acknowledged in the Comment Order, Tampa Electric Company is the only company of the nine requiring a decision from the Commission by December 31, 2018. Accordingly, OPC proposes holding the hearing in Docket No. 20180045-EI, In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Tampa Electric Company, on August 30-31, 2018. OPC notes that these two dates are already set aside and reserved within the hearing schedule provided by the Order Establishing Procedure in this docket issued April 25, 2018, and thus, should be workable for the Commission. OPC further suggests expanding the discovery response times for the Tampa Electric case currently provided in the Order Establishing Procedure. Specifically, for this docket, OPC is amenable to a symmetrical twenty-five (25) day time frame to respond to discovery. Holding the hearing in the last two days of August will allow greater flexibility for expanded and symmetrical discovery response time for all parties and staff.

4. OPC sees no compelling reason to prevent the remaining eight hearings from being spread out from January 2019 through April 2019. In addition, there is no basis or urgency for shortening the discovery response time in these eight dockets from the presumptive, standard time provided by the Florida Rules of Civil Procedure. Accordingly, OPC requests and expects all parties to be given a full thirty (30) days to respond to discovery in accordance with Rules 1.340 and 1.350, Florida Rules of Civil Procedure.

5. Based on the current panel assignment, it appears that some Commissioners may have other obligations that necessitated scheduling the August Hearing with the same three-member panel in all nine of these dockets. If Commissioner availability is an issue, and two or three member panels are needed to accommodate the reasonable distribution of the hearings in 2019, the OPC is agreeable to this subject to other parties' input.

6. OPC proposes the Commission schedule a hearing presided over by a Commissioner with authority to set the schedule and commit to it for purposes of agreement among all parties within the next ten (10) days to discuss time frames and a potential schedule in these nine dockets.

7. A staggered or segregated hearing schedule, in these nine dockets, such as that proposed above, is fair to all parties and permits the Commission to render a fair, just and reasonable decision in all dockets.

WHEREFORE, OPC hereby respectfully submits its additional comment in accordance with the Comment Order to aid the Commission in its evaluation of OPC's Motion.

J. R. Kelly  
Public Counsel

Virginia Ponder  
Virginia Ponder

Associate Public Counsel  
Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Room 812  
Tallahassee, FL 32399-1400  
(850) 488-9330

Attorneys for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 4<sup>th</sup> day of May, 2018, to the following:

Suzanne Brownless  
Florida Public Service  
Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850  
sbrownle@psc.state.fl.us

Ms. Paula Brown  
Tampa Electric Company  
Regulatory Affairs  
P. O. Box 111  
Tampa FL 33601  
[regdept@tecoenergy.com](mailto:regdept@tecoenergy.com)

Jon C. Moyle, Jr.  
Karen A. Putnal  
Florida Industrial Power Users Gr  
c/o Moyle Law Firm, PA  
118 North Gadsden Street  
Tallahassee FL 32301  
jmoyle@moylelaw.com  
[kputnal@moylelaw.com](mailto:kputnal@moylelaw.com)

Robert Pickels  
Matthew R. Bernier  
Duke Energy Florida, LLC  
106 East College Avenue,  
Suite 800  
Tallahassee FL 32301  
[Robert.Pickels@duke-energy.com](mailto:Robert.Pickels@duke-energy.com)

James Beasley  
Jeff Wahlen  
Ausley McMullen  
P.O. Box 391  
Tallahassee FL 32302  
jbeasley@ausley.com  
jwahlen@ausley.com

Dianne M. Triplett  
Duke Energy Florida, LLC  
299 First Avenue North  
St. Petersburg FL 33701  
[Dianne.triplett@duke-energy.com](mailto:Dianne.triplett@duke-energy.com)

Andrew M. Brown  
Ansley Watson, JR.  
Macfarlane Ferguson &  
McMullen  
P. O. Box 1531  
Tampa, Florida 33601-1531  
[ab@macfar.com](mailto:ab@macfar.com)  
[aw@macfar.com](mailto:aw@macfar.com)

Beth Keating  
Gregory M. Munson  
Gunster Law Firm  
215 South Monroe Street  
Suite 601  
Tallahassee FL 32301-1839  
[bkeating@gunter.com](mailto:bkeating@gunter.com)  
[gmunson@gunster.com](mailto:gmunson@gunster.com)

Mr. Mike Cassel  
Florida Public Utilities  
Company  
1750 S.W. 14th Street, Suite  
200  
Fernandina Beach FL 32034  
[mcassel@fpuc.com](mailto:mcassel@fpuc.com)

Mr. Ken Hoffman  
215 South Monroe Street,  
Suite 810  
Tallahassee FL 32301  
[ken.hoffman@fpl.com](mailto:ken.hoffman@fpl.com)

John Butler  
Maria Moncada  
700 Universe Boulevard  
Juno Beach FL 33408  
John.Butler@fpl.com  
[Maria.moncada@fpl.com](mailto:Maria.moncada@fpl.com)

Virginia Ponder  
Virginia Ponder  
Associate Public Counsel