

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

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FPSC - COMMISSION CLERK

In the Matter of:

DOCKET NO. 20180029-WS

PROPOSED AMENDMENT OF RULE  
25-30.433, F.A.C., RATE  
CASE PROCEEDINGS.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA  
ITEM NO. 1

COMMISSIONERS  
PARTICIPATING: CHAIRMAN ART GRAHAM  
COMMISSIONER JULIE I. BROWN  
COMMISSIONER DONALD J. POLMANN  
COMMISSIONER GARY F. CLARK  
COMMISSIONER ANDREW G. FAY

DATE: Tuesday, June 5, 2018

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

REPORTED BY: ANDREA KOMARIDIS  
Court Reporter and  
Notary Public in and for  
the State of Florida at Large

PREMIER REPORTING  
114 W. 5TH AVENUE  
TALLAHASSEE, FLORIDA  
(850) 894-0828

1 P R O C E E D I N G S

2 CHAIRMAN GRAHAM: Good morning. Let's try  
3 that one more time. Good morning.

4 AUDIENCE: Morning.

5 CHAIRMAN GRAHAM: There we go.

6 We have a full day today. Hopefully not all  
7 you guys have to be with us here all day long, but  
8 we have this agenda conference today and,  
9 immediately following agenda conference, we're  
10 going to have another hearing.

11 And we'll probably break for lunch around  
12 1:00. And then we'll be back here, finishing up  
13 the second hearing. And if we're still here at  
14 dinnertime, we'll break for dinner about 7:00, but  
15 we have to finish that hearing today. So, be  
16 prepared.

17 That all being said, if you would like to join  
18 us for the invocation and pledge led by  
19 Commissioner Brown, if I could get you to stand,  
20 please.

21 COMMISSIONER BROWN: Thank you.

22 (Pledge and invocation given.)

23 CHAIRMAN GRAHAM: Thank you very much,  
24 Commissioner Brown.

25 Okay. So, let the record show, it is Tuesday,

1 June the 5th. And this is the agenda conference.

2 We have several items on the agenda today.

3 Item No. 1 is on the move staff list. Item 2 and  
4 3, we'll come back to. Item 4 is on the move staff  
5 list. Item 5 and 6 we'll come back to. We'll  
6 actually take up Item 6 before Item 5.

7 Items 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17,  
8 18, and 19 are all on move staff.

9 So, let's go back to Item No. 1. Staff?

10 MS. COWDERY: Good morning, Commissioners.

11 Item 1 is the proposed amendment of  
12 Rule 2530.433, Florida Administrative Code, rate-  
13 case proceedings. On March 5th, 2018, the  
14 Commission proposed amendment to Rule 2530.433 by  
15 publication in the Florida Administrative Register.

16 The Office of Public Counsel filed a petition  
17 for a rule hearing, asking for changes to  
18 Paragraphs (1D) and (2C) of the proposed rule. OPC  
19 suggested adding examples of the types of comments  
20 and testimony that the Commission must consider  
21 when it determines quality of service and whether a  
22 utility's infrastructure and operational conditions  
23 comply with Commission rule.

24 A rule hearing was held before the Commission  
25 on May 8th, 2018. Following OPC's argument at the

1 rule hearing, the Commission directed staff to  
2 bring a recommendation to this agenda conference on  
3 OPC's suggested changes to the proposed rule.

4 Staff recommends that the Commission should  
5 not make changes to Paragraphs (1D) and (2C) on  
6 Proposed Rule 2530.433. And staff is available to  
7 answer any questions.

8 CHAIRMAN GRAHAM: Thank you, staff.

9 Commissioners, any questions of staff?

10 Commissioner Fay.

11 COMMISSIONER FAY: Mr. Chairman, based on the  
12 testimony, I know this item has been around for a  
13 while. I just wanted to, I guess, if I could, move  
14 staff's recommendation based on the language  
15 provided in the staff analysis that includes in the  
16 notice of adoption the language for Paragraphs (1D)  
17 and (2C) that include the plain -- the plain  
18 language of both the oral and verbal statements.

19 COMMISSIONER BROWN: Second.

20 COMMISSIONER FAY: Thank you.

21 CHAIRMAN GRAHAM: It's been moved and second,  
22 staff recommendation on Issues 1 and 2. Any  
23 further discussion?

24 Seeing none, all in favor, say aye.

25 (Chorus of ayes.)

1                   CHAIRMAN GRAHAM: Any opposed?

2                   By your action, you have approved that  
3 recommendation.

4                   Do we have to move to send this on? Or is  
5 that all with the approval?

6                   MS. COWDERY: That's all you need for  
7 approval.

8                   CHAIRMAN GRAHAM: Okay. All right. Staff,  
9 thank you very much.

10                   (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA )  
COUNTY OF LEON )

I, ANDREA KOMARIDIS, Court Reporter, do hereby  
certify that the foregoing proceeding was heard at the  
time and place herein stated.

IT IS FURTHER CERTIFIED that I  
stenographically reported the said proceedings; that the  
same has been transcribed under my direct supervision;  
and that this transcript constitutes a true  
transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative,  
employee, attorney or counsel of any of the parties, nor  
am I a relative or employee of any of the parties'  
attorney or counsel connected with the action, nor am I  
financially interested in the action.

DATED THIS 13th day of June, 2018.



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ANDREA KOMARIDIS  
NOTARY PUBLIC  
COMMISSION #GG060963  
EXPIRES February 9, 2021