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August 17, 2018

**E-PORTAL FILING**

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

**Re: 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 –Gas.  
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 – Indiantown 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.  
Docket No. 20180054-GU -In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Division of Chesapeake Utilities Corporation.**

Dear Ms. Stauffer:

Attached for filing in the above-referenced dockets, please find the Joint Motion to Amend Procedural Schedule and to Accept Revised/Supplemental Testimony submitted in these dockets on behalf of Florida Public Utilities Company, Florida Public Utilities Company-Indiantown Division, Florida Public Utilities Company-Fort Meade, and the Office of Public Counsel.

Thank you for your assistance with this filing. As always, please don't hesitate to let me know if you have any questions whatsoever.

Kind regards,



Beth Keating  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for 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.	DOCKET NO. 20180053-GU
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Division of Chesapeake Utilities Corporation.	DOCKET NO. 20180054-GU FILED: August 17, 2018

JOINT MOTION TO AMEND PROCEDURAL SCHEDULE  
AND TO ACCEPT REVISED/SUPPLEMENTAL TESTIMONY

Florida Public Utilities Company, Florida Public Utilities Company-Indiantown Division, Florida Public Utilities Company-Fort Meade, and the Florida Division of Chesapeake Utilities Corporation (jointly herein “FPUC/CFG” or “Companies”), and the Citizens of the State of Florida, by and through the Office of Public Counsel (“OPC”) (collectively, the “Parties”) hereby request that the Prehearing Officer amend the schedules established in each of these proceedings to allow FPUC/CFG to file supplemental and revised testimony and also to extend the dates currently established for Intervenor Testimony and Rebuttal Testimony. The Parties agree that the procedure set forth herein will accommodate the interests of all Parties and the Commission in these particular cases, and in support of this Joint Motion state:

## Joint Motion to Amend Procedural Schedule

1. The Tax Cuts and Jobs Act of 2017<sup>1</sup> (“Act”) was signed into law by President Trump on December 22, 2017, and applies to the taxable year beginning after December 31, 2017. Thereafter, the Commission established generic Docket No. 20180013-PU to address the Office of Public Counsel’s (“OPC”) Petition to Establish Generic Docket to Investigate and Adjust Rates for 2018 Tax Savings. By Order No. PSC-2018-0104-PCO-PU, the Commission asserted jurisdiction over the subject matter of responsive tax adjustments effective on the date of the Commission’s vote, February 6, 2018, as it relates to Florida Public Utilities Company (Gas) (“FPUC”)(20180051-GU), Florida Public Utilities Company-Indiantown Division (“Indiantown”)(20180052-GU), Florida Public Utilities Company-Fort Meade (“Fort Meade”)(20180053-GU), and the Florida Division of Chesapeake Utilities Corporation (“CFG”)(20180054-GU).

2. These dockets were opened on February 23, 2018, to provide vehicles for the Commission to consider the tax impacts associated with the passage of the Act on each of the respective business entities. The respective Orders Establishing Procedure for these proceedings, Order No. PSC-2018-0213-PCO-GU, Order No. PSC-2018-0214-PCO-GU, Order No. PSC-2018-2015-PCO-GU, and Order No. PSC-2018-0216-PCO-GU, were issued April 25, 2018. Subsequently, the schedules for each of these dockets were revised by Order No. PSC-2018-0274-PCO-GU; Order No. PSC-2018-0275-PCO-GU; Order No. PSC-2018-0276-PCO-GU; and Order No. PSC-2018-0277-PCO-GU, issued May 31, 2018.

3. Consistent with schedules established for these dockets, the Companies filed, on June 1, 2018, separate Petitions asking the Commission for approval of the Companies’

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<sup>1</sup> HR-1, Pub. L. No. 115-97, December 22, 2017, 131 Stat 2054.

calculations of the tax benefit amounts (or detriments) arising from the Tax Cuts and Jobs Act of 2017, along with proposed mechanisms for flowing the benefits through to the Companies' customers. With each Petition, the Companies also submitted the Direct Testimony of witnesses Michael Cassel, Matthew Dewey, and Michael Reno.

4. Currently, the schedules established by the Orders Establishing Procedure in each of these dockets contemplate that Intervenor Testimony shall be filed on August 27, 2018.

5. Recently, however, FPUC/CFG were advised by their consultants that they were revising their recommendation to the Companies with regard to the classification of certain taxes. This results in a conflict with the Companies' testimonies previously submitted in each docket on June 1, 2018, which should be resolved. The revised position pertains to the classification of Accumulated Deferred Income Taxes ("ADIT") associated with the cost of removal/negative net salvage as being within the "protected" class. The Companies believe it necessary to amend the testimony and exhibits of Witness Dewey to make this correction, as well as Exhibit MC-1 of Michael Cassel and the corresponding amounts in his prefiled direct testimony.

6. In addition, at the meeting held in these Dockets on August 15, 2018, certain issues were identified that had not been addressed in the Companies' initial filings. Specifically, the issues pertaining to whether seeking a Private Letter Ruling from the federal Internal Revenue Service are issues that were not, and reasonably could not have been contemplated in the Companies' initial filings. The Companies believe it is critical that they be allowed to provide testimony and evidence pertaining to these issues in their

direct cases in order to ensure a full and complete record for the Commission's consideration.

7. The Companies and OPC have conferred in this regard and agree that it is appropriate for the Companies to be allowed to amend the testimony and exhibits of Witness Dewey in each of the identified dockets to address the identified error. OPC also does not object to the Companies being allowed to submit supplemental testimony to the extent such supplemental testimony is limited to the issues pertaining to a Private Letter Ruling and a mechanism, if any, to recover the costs associated with seeking a Private Letter Ruling.

8. The Parties also agree that, given the current schedule and the approaching due date of Intervenor Testimony, it is necessary and appropriate to amend the remaining testimony schedule to allow sufficient time for each Party to adequately review and respond to the testimony filed. As such, the Parties propose that the remaining schedule for Testimony in these proceedings be amended as follows:

- |     |   |                    |
|-----|---|--------------------|
| (1) | Utility Revised/Supplemental Testimony and Exhibits | August 27, 2018    |
| (2) | Intervenor Testimony and Exhibits, if any           | September 17, 2018 |
| (3) | Rebuttal Testimony, if any                          | October 17, 2018   |

The Parties note that it may also be appropriate to allow additional time for Staff Testimony.

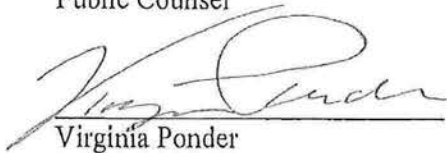
9. The Parties believe that the above-mentioned changes to the current schedule will not necessitate any change to the remainder of the schedule for these proceedings and will not cause undue hardship to the Parties or the Commission in preparing for the joint hearing in these dockets.

Joint Motion to Amend Procedural Schedule

WHEREFORE, that Parties respectfully request that the Prehearing Officer in these dockets amend the schedules established by Order No. PSC-2018-0274-PCO-GU, Order No. PSC-2018-0275-PCO-GU, Order No. PSC-2018-0276-PCO-GU, and Order No. PSC-2018-0277-PCO-GU to reflect the revised schedule for testimony as set forth herein, thereby allowing FPUC/CFG to file supplemental and revised testimony and extending the remaining testimony due dates.

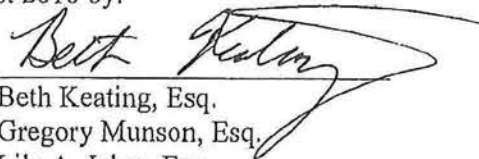
Respectfully submitted this 17<sup>th</sup> day of August 2018 by:

J.R. Kelly  
Public Counsel



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*Attorneys for Florida Public Utilities  
Company; Florida Public Utilities  
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Public Utilities Company-Fort Meade; and  
Florida Division of Chesapeake Utilities  
Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing Responses of Florida Public Utilities to Citizen's Fourth Set of Interrogatories and Fourth Requests for Production to the Company in the referenced docket have been served by Electronic Mail this 17<sup>th</sup> day of August, 2018, upon the following:

Rachael A. Dziechciarz Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850 <a href="mailto:RDziehc@psc.state.fl.us">RDziehc@psc.state.fl.us</a>	J.R. Kelly/Virginia Ponder Office of Public Counsel c/o The Florida Legislature 111 W. Madison Street, Room 812 Tallahassee, FL 32399-1400 <a href="mailto:Ponder.virginia@leg.state.fl.us">Ponder.virginia@leg.state.fl.us</a>
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By: \_\_\_\_\_

  
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