

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of:

DOCKET NO. 20190040-EQ

PETITION FOR DECLARATORY
STATEMENT REGARDING LEASING
OF RESIDENTIAL SOLAR
EQUIPMENT, BY IGS SOLAR,
LLC.

_____ /

PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 4

COMMISSIONERS
PARTICIPATING: CHAIRMAN ART GRAHAM
COMMISSIONER DONALD J. POLMANN
COMMISSIONER ANDREW GILES FAY

DATE: Tuesday, April 2, 2019

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: Item No. 4.

3 MS. HARPER: Item No. 4 is IGS Solar's
4 petition for declaratory statement. IGS Solar is
5 asking the Commission if its proposed residential
6 solar leasing program triggers the Commission's
7 jurisdiction.

8 Staff recommends that the Commission grant the
9 petition for declaratory statement. IGS's petition
10 is consistent with the Commission's recent
11 decisions granting Sunrun, Vivint, and Tesla's
12 petitions for declaratory statement.

13 Staff is available for any questions.

14 CHAIRMAN GRAHAM: Thank you, staff.

15 A question I have: Why do we still have these
16 things coming before us all the time?

17 MS. HARPER: I can't speak for the
18 petitioners, so I cannot really answer that
19 question, but I can tell you that it's staff's
20 feeling that all these petitions, Sunrun, Vivint
21 and Tesla, with very similar facts, do have some
22 precedential value.

23 And so, we don't believe it's necessary for
24 companies to keep asking the same questions, but --
25 but as to their motivations as to why they do, I --

1 I've seen in the petitions that they've cited that
2 they need it for funding and so forth from the
3 lender.

4 So, I don't want to speak for them, but we do
5 believe these declaratory statements are very
6 similar and have precedential value.

7 CHAIRMAN GRAHAM: And we are not approving the
8 release; we're just approving the facts in this dec
9 statement.

10 MS. HARPER: That's correct. We're just
11 looking at the four corners of the petition and
12 looking at the -- the all- -- the facts, as they've
13 alleged, to describe how this program is going to
14 work. We are not looking at leases and we're not
15 approving leases.

16 CHAIRMAN GRAHAM: So, that means we need to
17 make sure the ordering paragraph is -- indicates
18 that we're not approving the lease, specifically?

19 MS. HARPER: Yes, we can do that.

20 CHAIRMAN GRAHAM: Okay. Commissioners?

21 COMMISSIONER FAY: Mr. Chairman, I thought it
22 was a good question. Is the -- is the party not
23 here who filed the petition?

24 CHAIRMAN GRAHAM: I don't know if they're here
25 or not -- the party is here.

1 Come on down. We just need your name for the
2 record, please.

3 MS. RULE: Good morning. Marsha Rule here for
4 IGS Solar.

5 COMMISSIONER FAY: My question is why -- why
6 you filed this.

7 MS. RULE: Well, first, this question is a
8 little bit different than has been asked before.
9 Question No. 4 deals with net-metering status. So,
10 this is a little bit different.

11 But back to your original question -- lenders
12 demand this. Bear Stearns doesn't seem to care
13 what you've written in the other orders.

14 COMMISSIONER FAY: Gotcha. Yeah, and that's
15 what the analysis said and it seemed like the
16 parties before had mentioned that, but we just
17 haven't had a specific party come and tell us that,
18 so --

19 MS. RULE: Exactly.

20 COMMISSIONER FAY: -- appreciate it. Yep.

21 Thank you, Mr. Chairman.

22 CHAIRMAN GRAHAM: Okay. Is that a motion?

23 COMMISSIONER FAY: I'll move -- motion to move
24 Item 4, all issues.

25 COMMISSIONER POLMANN: Second.

1 CHAIRMAN GRAHAM: It's been moved and second
2 to move Item 4, staff recommendation. Any further
3 discussion?

4 Seeing none, all in favor, say aye.

5 (Chorus of ayes.)

6 CHAIRMAN GRAHAM: Any opposed?

7 By your action, you have approved the staff
8 rec on Item No. 4.

9 (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 11th day of April, 2019.



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