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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:
PURCHASED GAS ADJUSTMENT
(PGA) TRUE-UP.
_____ /

DOCKET NO. 20190003-GU

PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONERS
PARTICIPATING: COMMISSIONER GARY F. CLARK
PREHEARING OFFICER

DATE: Tuesday, October 22, 2019

TIME: Commenced: 9:30 a.m.
Concluded: 9:39 a.m.

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

REPORTED BY: DEBRA R. KRICK
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 APPEARANCES:

2 BETH KEATING, ESQUIRE, Gunster Law Firm, 215
3 South Monroe Street, Suite 601, Tallahassee, Florida
4 32301-1839, appearing on behalf of Florida Public
5 Utilities Company, and Florida Public Utilities Company
6 - Fort Meade.

7 BETH KEATING and GREGORY M. MUNSON, ESQUIRES,
8 Gunster Law Firm, 215 South Monroe Street, Suite 601,
9 Tallahassee, Florida 32301-1839; and CHRISTOPHER T.
10 WRIGHT, ESQUIRE, 700 Universe Boulevard, Juno Beach,
11 Florida 33408, appearing on behalf of Florida City Gas.

12 ANDREW M. BROWN and ANSLEY WATSON JR.,
13 ESQUIRES, McFarlane Law Firm, P.O. BOX 1531, Tampa,
14 Florida, 33601-1531, appearing on behalf of Peoples Gas
15 System.

16 ANDY SHOAF, VICE PRESIDENT, St. Joe Natural
17 Gas Company Incorporated, P.O. Box 549, Port St. Joe,
18 Florida 32457-0549, appearing on behalf of St. Joe
19 Natural Gas.

20 J.R. KELLY, PUBLIC COUNSEL; CHARLES REHWINKEL,
21 DEPUTY PUBLIC COUNSEL; and PATRICIA A. CHRISTENSEN,
22 ESQUIRES, Office of Public Counsel, c/o The Florida
23 Legislature, 111 W. Madison Street, Room 812,
24 Tallahassee, Florida 32399-1400, appearing on behalf of
25 the Citizens of the State of Florida.

1 KURT M. SCHRADER, ESQUIRE, FPSC General
2 Counsel's Office, 2540 Shumard Oak Boulevard,
3 Tallahassee, Florida 32399-0850, appearing on behalf of
4 the Florida Public Service Commission Staff.

5 KEITH HETRICK, GENERAL COUNSEL; MARY ANNE
6 HELTON, DEPUTY GENERAL COUNSEL; Florida Public Service
7 Commission, 2540 Shumard Oak Boulevard, Tallahassee,
8 Florida 32399-0850, Advisor to the Florida Public
9 Service Commission.

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

2 COMMISSIONER CLARK: All right. We are we are
3 going to go ahead and call this prehearing to
4 order.

5 Y'all bear with me a little bit this morning.
6 I had a root canal yesterday afternoon. I am
7 hoping y'all are going to make this less painful
8 than that was yesterday, right? So pardon me if I
9 get a little choked up and drink a lot of water
10 here today.

11 All right. Let's -- I request that staff go
12 ahead and read the notice, please.

13 MR. SCHRADER: Yes, sir.

14 By notice issued on October 9th, 2019, this
15 time and place has been set for prehearing
16 conferences in Docket Nos. 20190001-EI,
17 20190002-EG, 20190003-GU, 20190004-GU and
18 20190007-EI. The purpose of these prehearings are
19 set out more fully in the notice.

20 COMMISSIONER CLARK: All right. Thank you
21 very much.

22 We are going to go ahead and take appearances,
23 and the second time we are just going to take
24 appearances in all of the dockets. If you would,
25 please state which docket you will be appearing in

1 and we will start with FPL and go all the way
2 through staff.

3 MS. MONCADA: Good morning, Commissioner.
4 Maria Moncada for Florida Power & Light Company,
5 appearing in the 01, 02 and 07 dockets. I would
6 also like to enter appearance for General Counsel,
7 Wade Litchfield in the same dockets.

8 In the 01 and 07 docket, I would like to also
9 enter an appearance for David Lee. And in the 02
10 docket, for Joel Baker.

11 Thank you.

12 COMMISSIONER CLARK: Thank you.

13 MR. BERNIER: Good morning, Commissioner.
14 Matt Bernier for Duke Energy. I am entering an
15 appearance in the 01, 02 and 07 dockets. And I
16 would also like to enter an appearance for Dianne
17 Triplett in the same dockets.

18 Thank you.

19 MR. BADDERS: Good morning, Commissioner
20 Clark. Russell Badders on behalf Gulf Power
21 Company in the 01, 02 and 07 dockets. I would also
22 like to enter an appearance for Steven Griffin of
23 the law firm of Beggs & Lane in the same dockets.

24 MR. BEASLEY: Good morning, Commissioner. Jim
25 Beasley for Tampa Electric Company in the 01, 02

1 and 07 dockets. Also would like to enter an
2 appearance for Jeff Wahlen and Malcolm Means in
3 those same dockets.

4 MR. BROWN: Andy Brown here for --

5 COMMISSIONER CLARK: Microphone.

6 MR. BROWN: Andy Brown here on the -- for
7 Peoples Gas in the 03 and 04 dockets. And I would
8 also like to enter an appearance for Ansley Watson.

9 MR. MOYLE: Good morning. Jon Moyle on behalf
10 of the Florida Industrial Power Users Group. Karen
11 Putnal with our firm should also be shown as
12 entering an appearance, and we are representing
13 FIPUG in the 01, 02 and 07 dockets.

14 MS. KEATING: Good morning, Commissioner.
15 Beth Keating with the Gunster Law Firm here today
16 on behalf of the FPUC in the 01 and 02 dockets.
17 I'm also appearing for FPUC and the Chesapeake
18 companies in the 03 and zero 04 dockets.

19 I would also like to enter an appearance for
20 Greg Munson and Chris Wright and myself for Florida
21 City Gas in the 03 and 04 dockets. And I am also
22 appearing for Sebring in the 04 docket.

23 COMMISSIONER CLARK: Thank you.

24 MR. MARSHALL: Good morning. Bradley Marshall
25 with Earthjustice representing the Sierra Club in

1 the 07 docket. I would also like to put in an
2 appearance for Diana Csank.

3 MS. WYNN: Good morning, Commissioner. Laura
4 Wynn on behalf of White Springs Agricultural
5 Chemicals, PCS Phosphate in the 01, 02 and 07
6 dockets. I would also like to enter an appearance
7 for my partner Jay Brew.

8 MR. REHWINKEL: Good afternoon, Commissioner.
9 Charles Rehwinkel with the Office of Public
10 Counsel. I am appearing in all dockets. I would
11 also like to enter an appearance for Patty
12 Christensen, Thomas, Tad, David, Stephanie Morse
13 and J.R. Kelly. Their appearances are as noted in
14 the draft prehearing orders.

15 COMMISSIONER CLARK: Thank you.

16 MR. REHWINKEL: Thank you.

17 MR. SCHRADER: For staff in the 03 docket, we
18 have myself, Kurt Schrader. In the 04 docket, we
19 have Rachael Dziechciarz. In the 02 docket, we
20 have Margo DuVal and Gabriella Passidomo. In the
21 07 docket, it will be Charles Murphy and Ashley
22 Weisenfeld. And in the 01 docket, Suzanne
23 Brownless.

24 MS. HELTON: And finally, I am here as your
25 advisor, Mary Anne Helton. I would also like to

1 make an appearance for your General Counsel, Keith
2 Hetrick.

3 COMMISSIONER CLARK: All right. Thank you.
4 Anybody else? Did everybody get to speak?

5 Okay. We will move into the order of the
6 dockets. We are going to take these up a little
7 differently today, not necessarily in numerical
8 order. We are going to take them up in the 03, the
9 04, 02, the 07 and then the 01 dockets. Everybody
10 good with that?

11 All right. If there are no questions or
12 issues, we will move immediately into the 03
13 docket.

14 Mr. Schrader, let's begin with preliminary
15 matters.

16 MR. SCHRADER: Yes, Commissioner.

17 Staff will note for the record that St. Joe
18 Natural Gas Company has been excused from the
19 prehearing in the 03 docket, and there are no other
20 preliminary matters that staff is aware of.

21 COMMISSIONER CLARK: All right. Anybody else
22 have any preliminaries?

23 All right. Let's run through the draft
24 prehearing order. We will go through each of the
25 sections. I am just going to just call them out

1 quickly. If anybody has any problems, let me know,
2 we will stop and slow down when we get the
3 positions.

4 Case background.

5 Conduct of proceedings.

6 Jurisdiction.

7 Procedure for handling confidential
8 information.

9 Prefiled testimony.

10 Order of witnesses.

11 MR. SCHRADER: Staff is hopeful that all
12 issues with the parties can be stipulated and
13 witnesses excused in this docket. Staff will
14 continue to work towards this end.

15 COMMISSIONER CLARK: Anyone else?

16 All right. Basic positions. Nobody changed
17 their mind.

18 All right. Issues and positions.

19 MR. SCHRADER: Staff notes that the order
20 establishing procedure requires that a party take a
21 position at the prehearing conference unless good
22 cause is shown as to why that party cannot take a
23 position at this time.

24 Accordingly, if a party's position in the
25 prehearing order is currently no position at this

1 time, that party must change its position or show
2 good cause why it cannot take a position.

3 Staff will also suggest that parties who have
4 not yet take a position, or wish to change their
5 position, be allowed to submit their position in
6 writing no later than close of business tomorrow,
7 Wednesday, October 23rd. If a party fails to take
8 a position by that time, the prehearing order will
9 reflect no position for that party for such issues.

10 COMMISSIONER CLARK: All right. Let's move
11 into the exhibit list.

12 MR. SCHRADER: Staff will note that have
13 prepared and circulated to the parties a draft
14 comprehensive exhibit list which includes all
15 prefiled exhibits. Staff will check with the
16 parties prior to the hearing to determine if there
17 are any objections to the comprehensive exhibit
18 list.

19 COMMISSIONER CLARK: All right. Any
20 questions?

21 All right. Proposed stipulations.

22 MR. SCHRADER: There are none at this time,
23 Commissioner.

24 COMMISSIONER CLARK: Pending motions.

25 MR. SCHRADER: None at this time,

1 Commissioner.

2 COMMISSIONER CLARK: Pending confidentiality
3 motions.

4 MR. SCHRADER: No, Commissioner.

5 COMMISSIONER CLARK: All right. Post-hearing
6 procedures.

7 MR. SCHRADER: If the issues are stipulated
8 and the parties agree to waive briefs, the
9 Commission may make a bench decision for this
10 position -- for this portion of the docket. If
11 there are any issues to be briefed, staff
12 recommends that post-hearing briefs be no longer
13 than 40 pages.

14 COMMISSIONER CLARK: All right. Are all
15 parties in agreement?

16 Mr. Rehwinkel.

17 MR. REHWINKEL: Yes. Commissioner, I just
18 wanted to note for the record and for staff's
19 benefit, our position on all issues is no position
20 at this time. It -- it can be changed to no
21 position.

22 COMMISSIONER CLARK: Okay.

23 MR. REHWINKEL: We will not be submitting any.

24 COMMISSIONER CLARK: Okay. Thank you very
25 much.

1 Everyone else in agreement?

2 All right. Rulings.

3 MR. SCHRADER: Staff would note any briefs
4 will be due on November 15th, 2019. Staff will
5 note that St. Joe Natural Gas Company's excusal
6 from the prehearing in this docket will be included
7 in the prehearing order.

8 COMMISSIONER CLARK: All right. Opening
9 statements are going to be limited to five minutes
10 unless the parties choose to waive those opening
11 statements, and summaries are going to be limited
12 to three minutes and briefings to 40 pages.

13 Are there any other matters that we need to
14 address in this prehearing conference?

15 MR. SCHRADER: Staff is aware of none,
16 Commissioner.

17 COMMISSIONER CLARK: Anyone else?

18 All right. We will adjourn the 04 docket
19 and -- we will adjourn the 03 docket and move into
20 the 04 docket.

21 (Proceedings concluded at 9:39 a.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA KRICK, 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 30th day of October, 2019.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #GG015952
EXPIRES JULY 27, 2020