

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20200095-EI

PETITION FOR APPROVAL OF
EMERGENCY MODIFICATION TO
DUKE ENERGY'S RATE SCHEDULE
SC-1, TARIFF SHEET 6.110
BY DUKE ENERGY FLORIDA,
LLC.

_____ /

PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 15A

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

DATE: Tuesday, March 31, 2020

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 P R O C E E D I N G S

2 CHAIRMAN CLARK: Okay. Moving to our final
3 item, Item No. 15A. Ms. Harlow, are you
4 introducing?

5 MS. HARLOW: Yes, sir.

6 Chairman and Commissioners, good to see y'all
7 today.

8 Item 15A addresses a petition filed March 19th
9 by Duke Energy Florida in response to the current
10 health emergency. Duke requests to modify it's
11 SC-1 tariff which addresses certain customer
12 service charges and fees.

13 Currently, the tariff allows the utility to
14 waive service fees when a customer has been
15 impacted by a natural disaster for which there is
16 an emergency declaration.

17 In response to the current emergency
18 declarations issued by our Governor DeSantis, Duke
19 is requesting to expand the waiver exception to
20 include periods of declared emergencies by a
21 governmental body not related to natural disasters.

22 In addition, the utility requests that its
23 late payment charge and return check charge be
24 included under this waiver.

25 Staff recommends approval of the proposed

1 tariff modifications. We have representatives of
2 your staff, Duke and OPC on the phone to respond to
3 your questions.

4 CHAIRMAN CLARK: All right. Thank you, Ms.
5 Harlow.

6 We will begin with -- with OPC. Mr.
7 Rehwinkel.

8 MR. REHWINKEL: Yes. Thank you, Mr. Chairman.
9 The Public Counsel understands that this
10 tariff is limited solely to adding to the
11 circumstances under which Duke can waive certain
12 nonrecurring charges and is thus in line with the
13 FPL tariff. This is a reasonable response to the
14 current situation that the company has chosen to
15 make, and based on these circumstances and these
16 facts, the Public Counsel has no objection.

17 CHAIRMAN CLARK: Thank you.

18 MR. REHWINKEL: That's what I have to say this
19 about this item, Mr. Chairman. Can I say one thing
20 about Mr. Moses?

21 I have worked for 35 years --

22 CHAIRMAN CLARK: Certainly.

23 MR. REHWINKEL: -- with the Public Counsel's
24 office, at the Public Service Commission and with a
25 large telephone company, and I just want to thank

1 you for everything you have said about him today
2 and to add my thanks to Mr. Moses as the epitome of
3 a good public servant who really looked out for the
4 safety and welfare of customers of Florida, so
5 thank you.

6 CHAIRMAN CLARK: Thank you for the kind words,
7 Mr. Rehwinkel.

8 Okay, Ms. Triplett, are you available?

9 MS. TRIPLETT: Good morning, sir. I am, and I
10 have nothing to add, but I am able to answer
11 questions if y'all have any. Thank you.

12 CHAIRMAN CLARK: All right. Any other
13 interested parties?

14 I will begin with an observation before I ask
15 the other Commissioners. I want to thank, not only
16 Duke, but all of the other utilities for quickly
17 coming up with the programs, and to implement the
18 plans to help deal with this new crisis. I think
19 that the response was -- was very timely. I think
20 that each one did a great job of assessing the
21 situation and coming up with their -- their own
22 voluntary programs, and thank Duke for their
23 leadership in getting this change made here that I
24 think is necessary and reflects the attitude of all
25 of the utility companies. You all did a great job

1 in responding to this.

2 Commissioner Graham, any comments?

3 Commissioner Brown?

4 COMMISSIONER BROWN: You stated it perfectly.

5 And I applaud all the utilities and appreciate Duke

6 taking the initiative to put this forth. Looking

7 forward to reviewing the other items that come

8 before us later this month. Thank you.

9 CHAIRMAN CLARK: Thank you.

10 Commissioner Polmann?

11 COMMISSIONER POLMANN: Thank you, Mr.

12 Chairman.

13 I -- I appreciate this action coming forward.

14 I had just a comment, and by no means intend this

15 to be negative on this action.

16 I find it, the nature of the current public
17 health emergency, this action to be appropriate.

18 The -- the only comment that I will make is that

19 this change is -- is very broad, and as I read it,

20 meaning declared emergencies going beyond natural

21 disasters and, in fact, by any authorized

22 governmental body. And my only concern is that it

23 not end up having unintended consequences. I don't

24 anticipate that it will, but in the -- in the very

25 broad language that this is written, that would be

1 my only comment.

2 My first reading simply raised a concern of
3 mine. I do understand what the intent is, and I --
4 I support it because I believe that's the way it
5 will be employed. And certainly, this action for
6 the current circumstances I believe is necessary
7 and I support it.

8 Thank you, Mr. Chairman.

9 CHAIRMAN CLARK: Thank you, Commissioner
10 Polmann.

11 Commissioner Fay?

12 COMMISSIONER FAY: No additional comments.
13 Thank you.

14 CHAIRMAN CLARK: All right. Commissioner
15 Graham?

16 COMMISSIONER GRAHAM: Yes, Mr. Chairman. I
17 move staff recommendations on Item No. 15A.

18 COMMISSIONER BROWN: Second.

19 CHAIRMAN CLARK: I have a motion and a second
20 to approve Item No. 15A.

21 Any other discussion?

22 Commissioner Graham?

23 COMMISSIONER GRAHAM: Yes.

24 CHAIRMAN CLARK: Commissioner Brown?

25 COMMISSIONER BROWN: Aye.

1 CHAIRMAN CLARK: Commissioner Polmann?

2 COMMISSIONER POLMANN: Aye.

3 CHAIRMAN CLARK: Commissioner Fay?

4 COMMISSIONER FAY: Aye.

5 CHAIRMAN CLARK: By your vote, you have
6 approved the item.

7 Okay. That concludes the Agenda Conference
8 items, everything that we have on the list. Let my
9 take two seconds and say thank you. This went, I
10 think, a lot smoother than even I anticipated it
11 was going to go. You guys did a tremendous job.

12 Again, my hat's off to the staff for all of
13 the hard work that you have put in to making this
14 thing happen today. You did a tremendous job, and
15 I am very grateful for all of the support.

16 With that in mind, thank you to those of you
17 who have joined us via the on-line system and
18 telephonically. We are going to adjourn this. We
19 are going to take a three-minute recess and we are
20 going to come right back in this same room for the
21 IA hearing as well. So that will be in three
22 minutes. Feel free to take your seats, or hold
23 onto your seats, or get up and stir around for a
24 moment.

25 The meeting is adjourned.

1 COMMISSIONER POLMANN: That will be fine, five
2 minutes, Mr. --

3 CHAIRMAN CLARK: Five -- we have got a
4 request -- oh, I am sorry. I wasn't looking down.
5 We have got a five-minute request. Not a problem.

6 COMMISSIONER BROWN: Mr. Chair --

7 CHAIRMAN CLARK: Yes, Commissioner Brown.

8 COMMISSIONER BROWN: Mr. Chairman --

9 CHAIRMAN CLARK: Commissioner Brown.

10 COMMISSIONER BROWN: Thank you. If I may, I
11 want to -- I want to thank you and your office and
12 your leadership in organizing this. It has gone so
13 smoothly and it's very effective. Thank you so
14 much for your leadership during this time.

15 CHAIRMAN CLARK: Well, thank you. And I will
16 take that note and just say a very special thank
17 you to my assistant Forrest Boone.

18 Forrest has worked behind the scenes making a
19 lot of things happen this week, and he doesn't get
20 near the credit he deserves for how good I look
21 sometimes. So I want to thank Forrest for his hard
22 work in putting all of this together today.

23 Thank you. We stand adjourned for five
24 minutes.

25 (Agenda item concluded.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 8th day of April, 2020.



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