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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20200145-EI

PETITION TO APPROVE THE 2020
SETTLEMENT AGREEMENT BY TAMPA
ELECTRIC COMPANY.

_____ /

DOCKET NO. 20200064-EI

PETITION FOR A LIMITED
PROCEEDING TO APPROVE FOURTH
SOBRA, BY TAMPA ELECTRIC COMPANY.

_____ /

DOCKET NO. 20200065-EI

PETITION FOR A LIMITED
PROCEEDING TO ELIMINATE
ACCUMULATED AMORTIZATION
RESERVE SURPLUS FOR INTANGIBLE
SOFTWARE ASSETS, BY TAMPA
ELECTRIC COMPANY.

_____ /

DOCKET NO. 20200067-EI

REVIEW OF 2020-2029 STORM
PROTECTION PLAN PURSUANT TO
RULE 25-6.030, F.A.C.,
TAMPA ELECTRIC COMPANY.

_____ /

DOCKET NO. 20200092-EI

STORM PROTECTION PLAN COST
RECOVERY CLAUSE.

_____ /

PROCEEDINGS: HEARING

1

2 COMMISSIONERS
PARTICIPATING:

3

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

5

DATE: Tuesday, June 9, 2020

6

TIME: Commenced: 11:45 a.m.

7

Concluded: 12:47 p.m.

8

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

10

11 REPORTED BY:

DEBRA R. KRICK
Court Reporter

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

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1 APPEARANCES:

2 JEFFRY WAHLEN, JAMES D. BEASLEY and MALCOLM
3 MEANS, ESQUIRES, Ausley Law Firm, P.O. Box 391,
4 Tallahassee, Florida 32302-0391, appearing on behalf of
5 Tampa Electric Company.

6 J.R. KELLY, PUBLIC COUNSEL; CHARLES REHWINKEL,
7 DEPUTY PUBLIC COUNSEL; and MIREILLE FALL-FRY, ESQUIRES;
8 Office of Public Counsel, c/o The Florida Legislature,
9 111 W. Madison Street, Room 812, Tallahassee, Florida
10 32399-1400, appearing on behalf of the Citizens of the
11 State of Florida.

12 JON C. MOYLE, JR., and KAREN A. PUTNAL,
13 ESQUIRES, Moyle Law Firm, P.A., 118 North Gadsden
14 Street, Tallahassee, Florida 32301, appearing on behalf
15 of Florida Industrial Power Users Group.

16 ROBERT SCHEFFEL WRIGHT, ESQUIRE, Gardner,
17 Bist, Bowden, et al., 1300 Thomaswood Drive,
18 Tallahassee, Florida 32308, appearing on behalf of
19 Florida Retail Federation.

20 THOMAS "DREW" JERNIGAN, AFLOA/JACL-ULFSC, 139
21 Barnes Drive, Suite 1, Tyndall AFB, Florida 32403,
22 appearing on behalf of Federal Executive Agencies.

23

24

25

1 APPEARANCES (CONTINUED):

2 MARK F. SUNDBACK and WILLIAM M. RAPPOLT,
3 ESQUIRES, 2099 Pennsylvania Ave., Suite 100, Washington
4 DC, 20006, appearing on behalf of West Central Florida
5 Hospital Utility Alliance.

6 STEPHANIE EATON, ESQUIRE, Spilman Thomas &
7 Battle, PLLC, 110 Oakwood Drive, Suite 500,
8 Winston-Salem, NC, 27103, appearing on behalf of
9 Walmart.

10 BIANCA LHERISSON and SHAW STILLER, ESQUIRES,
11 FPSC General Counsel's Office, 2540 Shumard Oak
12 Boulevard, Tallahassee, Florida 32399-0850, appearing on
13 behalf of the Florida Public Service Commission Staff.

14 KEITH C. HETRICK, GENERAL COUNSEL; MARY ANNE
15 HELTON, DEPUTY GENERAL COUNSEL, ESQUIRES, Florida Public
16 Service Commission, 2540 Shumard Oak Boulevard,
17 Tallahassee, Florida 32399-0850, Advisor to the Florida
18 Public Service Commission.

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EXHIBITS

NUMBER :		ID	ADMIT'D
1	Comprehensive Exhibit List	26	27
2-7	As identified on the CEL	26	27

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

2 CHAIRMAN CLARK: I will call this hearing to
3 order. We will begin by reading the notice.

4 Mr. Futrell, or I am sorry, Ms. Helton, who is
5 reading the notice?

6 MS. HELTON: I believe that Ms. Lherisson will
7 be reading the notice, Mr. Chairman.

8 CHAIRMAN CLARK: Okay. Thank you.

9 MS. LHERISSON: Pursuant to notice, this time
10 and place has been set for hearing in Docket Nos.
11 20200145-EI, 20200064-EI, 20200065-EI, 20200067-EI
12 and 20200092-EI. The purpose of the hearing is set
13 out in the notice.

14 CHAIRMAN CLARK: All right. Thank you very
15 much.

16 We will take appearances now. I will begin
17 with TECO.

18 MR. WAHLEN: Good morning, Commissioners.
19 It's Jeff Whalen, appearing with James D. Beasley
20 and Malcolm Means, all of the Ausley McMullen law
21 firm on behalf of Tampa Electric company.

22 CHAIRMAN CLARK: Thank you, Mr. Wahlen.

23 OPC.

24 MR. REHWINKEL: Good morning, Commissioner,
25 Mr. Chairman. This is Charles Rehwinkel, Deputy

1 Public Counsel. I am here today with J.R. Kelly,
2 the Public Counsel, and Mireille Fall-Fry with the
3 Office of Public Counsel, also appearing with us is
4 Marshall Willis.

5 CHAIRMAN CLARK: Okay. Thank you, Mr.
6 Rehwinkel.

7 FIPUG.

8 MR. MOYLE: Good morning, Mr. Chairman. On
9 behalf of the Florida Industrial Power Users Group,
10 Jon Moyle with the Moyle Law Firm is appearing, and
11 the record should also reflect an appearance for
12 Karen Putnal with our firm.

13 CHAIRMAN CLARK: Thank you, sir.

14 Florida Retail Federation. Mr. Wright, are
15 you on the line? Okay. We don't see Mr. Wright on
16 the line right now.

17 All right. FEA.

18 MR. MOYLE: Mr. Chairman, on behalf of the
19 Florida Industrial Power Users Group, Jon Moyle.

20 CHAIRMAN CLARK: Yes, Mr. Moyle.

21 MR. MOYLE: That was a technical error. I
22 don't know how that happened.

23 CHAIRMAN CLARK: Okay.

24 MR. MOYLE: I have the computer on as well, so
25 anyway, my apologies. I am trying to see and talk,

1 and I will turn the computer off and just stay on
2 the line.

3 CHAIRMAN CLARK: No -- no problem. We are
4 all -- we are all learning this new virtual world,
5 so we will get through this together.

6 Let's try one more time for Florida Retail
7 Federation. Mr. Wright, are you on the phone?

8 Okay. Let's move on to FEA.

9 MR. WRIGHT: Here I am -- Mr. Chairman, I am
10 here. I am sorry, I was on mute and I am back.

11 CHAIRMAN CLARK: All right. No problem, Mr.
12 Wright.

13 MR. WRIGHT: Thank you.

14 Robert Scheffel Wright on behalf of the
15 Florida Retail Federation. Thank you, sir.

16 CHAIRMAN CLARK: Thank you.

17 Okay. Now, FEA.

18 MR. JERNIGAN: Good morning, Mr. Chairman,
19 this is Thomas Jernigan, for Federal Executive
20 Agencies.

21 CHAIRMAN CLARK: Thank you, Mr. Jernigan.
22 West Central Florida Hospital Utility
23 Alliance.

24 MR. SUNBACK: Good morning, Mr. Chairman,
25 Commissioners. Can you hear me?

1 CHAIRMAN CLARK: Yes, sir, we can hear you.

2 MR. SUNBACK: Thank you. Mark Sundback of the
3 firm of Sheppard, Mullin, Richter & Hampton on
4 behalf of the hospitals. We would like to enter
5 also the appearance of William Rappolt in this
6 proceeding.

7 CHAIRMAN CLARK: Thank you, sir.
8 Walmart.

9 MS. EATON: Good afternoon, Commissioners,
10 this is Stephanie Eaton on behalf of Walmart.

11 CHAIRMAN CLARK: Thank you, Ms. Eaton.
12 Staff.

13 MS. LHERISSON: Bianca Lherisson, Commission
14 staff, and Shaw Stiller, Commission staff.

15 CHAIRMAN CLARK: Thank you very much.

16 MS. HELTON: And, Mr. Chairman and
17 Commissioners, I am here, Mary Anne Helton, as your
18 advisor. I would also like to enter an appearance
19 for your General Counsel Keith Hetrick. He is also
20 here in the room with me.

21 CHAIRMAN CLARK: All right. Thank you very
22 much, Ms. Helton.

23 Okay. Let's move on to preliminary matters.
24 Staff, do we have any preliminary matters?

25 MS. LHERISSON: Staff notes for the record

1 that State buildings are currently closed to the
2 public and other restrictions on gathering remain
3 in place due to COVID-19. Accordingly, this
4 hearing is being conducted remotely and all parties
5 and witnesses will be present -- will present
6 argument and testimony by communications media
7 technology.

8 Members of the public who want to observe or
9 listen to this hearing may do so by accessing the
10 live video broadcast, which is available from the
11 Commission website. Upon completion of the
12 hearing, the archived video will also be available.

13 Staff additionally notes that each person
14 participating today needs to keep their phone or
15 device muted when they are not speaking, and only
16 unmute when they are called upon to speak. If they
17 do not keep their phone muted, or put their phone
18 on hold, they may be disconnected from the
19 proceeding and will need to call back in.

20 Also, telephonic participants should speak
21 directly into their phone and not use the speaker
22 function.

23 Staff is not aware of any further preliminary
24 matters.

25 CHAIRMAN CLARK: Okay. Thank you very much.

1 All right. Status update. What is the
2 current status on this proceeding?

3 MS. LHERISSON: On April 27th, 2020, the
4 parties appearing before you entered into an
5 agreement addressing TECO's involvement in a number
6 of dockets.

7 Docket No. 20200145 addresses the 2020
8 agreement itself.

9 Docket 20200064 is a limited proceeding to
10 approve TECO's 4th SoBRA.

11 Docket No. 20200065 is a limited proceeding to
12 eliminate the accumulated amortization reserve
13 surplus for its intangible software assets.

14 Docket No. 20200067 addresses TECO's 2020
15 through 2029 Storm Protection Plan.

16 And Docket No. 20200092 is the Storm
17 Protection Plan Cost Recovery Clause.

18 If the 2020 agreement is approved, it will
19 establish, as to TECO, a series of stipulations
20 that will reduce the issues to be litigated in
21 Docket Nos. 20200067 and 20200092, thereby,
22 allowing the signatories and the Commission to
23 focus on the merits of TECO's Storm Protection Plan
24 and the recovery of the costs associated with the
25 plan in 2020 and 2021.

1 The 2020 agreement also presents a base --
2 base rate revenue reduction amount, and reflects a
3 determination of certain expenses for which TECO
4 plans to seek cost recovery through the Storm
5 Protection Plan Cost Recovery Clause, Docket No.
6 20200092.

7 Further, if the 2020 agreement is approved, it
8 will resolve all issues currently pending in
9 Dockets No. 2020065 and reduce the issues to be
10 litigated in Docket No. 20200064.

11 TECO contends that approval of the 2020
12 agreement promotes regulatory economy and
13 administrative efficiency, and avoids the time and
14 expense associated with litigating the settled
15 issues in the various existing and continuing
16 Commission dockets. The signatories request
17 approval of the 2020 agreement without
18 modification.

19 CHAIRMAN CLARK: Okay. Next we will move to
20 opening statements. Each party has been allocated
21 five minutes to make their opening statements. We
22 are going to go with TECO first, and we will follow
23 that with OPC, FIPUG, FRF, FEA, HUA and then
24 Walmart last.

25 So, Mr. Wahlen, you may make your opening

1 statement now.

2 MR. WAHLEN: Thank you, Commissioners, and
3 good morning.

4 Today, Tampa Electric seeks approval of its
5 2020 agreement, which was filed on April 27th. The
6 agreement was signed by all of the consumer parties
7 to the company's 2013 rate case stipulation and the
8 agreement that we entered into in 2017 that we call
9 the 2017 agreement. Those parties include the
10 Office of Public Counsel, FIPUG, Retail Federation,
11 the Federal Executive Agencies and the Hospital
12 Utility Alliance.

13 Tampa Electric will present two witnesses this
14 morning, Penelope Rusk and Jeff Chronister. They
15 will explain the 2020 agreement, the benefits the
16 agreement provides to the customers and why it is
17 in the public interest. They will answer your
18 questions on the substance of the agreement, and I
19 will be available to answer procedural questions,
20 if any.

21 The 2020 agreement resolves all or some of the
22 issues in four open dockets, Tampa Electric's Storm
23 Protection Plan docket, the general 2020 SPP Cost
24 Recovery Clause docket, the company's software
25 amortization docket and the company's 4th SoBRA

1 docket.

2 Mr. Chronister will discuss the effects of the
3 2020 agreement on the two SPP dockets. Ms. Rusk
4 will discuss the effects on the other two dockets.

5 The centerpiece of the 2020 agreement is Tampa
6 Electric's agreement to reduce its base rates one
7 time by approximately \$15 million effectively --
8 effective January 1 of 2021. This reduction will
9 pave the way for the company to recover, subject to
10 a prudency determination by the Commission, costs
11 associated with the programs in its SPP through the
12 SPP Cost Recovery Clause.

13 The company believes, and the consumer parties
14 concur, that the 2020 agreement will benefit
15 customers and is in the public interest for these
16 and other reasons.

17 First, the agreement will protect customers
18 against double recovery of Storm Protection Plan
19 costs.

20 Second, the agreement will streamline cost
21 recovery for certain SPP costs. I say streamline,
22 not because the agreement lowers the standard for
23 proving prudence, but because the Commission and
24 parties will be able to evaluate the SPP costs to
25 be recovered through the clause without worrying

1 about what portion of those costs are already being
2 recovered through base rates. The \$15 million base
3 rate reduction makes this possible.

4 Third, the \$15 million base rate reduction
5 will promote transparency and accountability that
6 benefits customers.

7 When the SPP cost recovery line item appears
8 on customer bills in January of 2021, customers
9 will have a higher level of clarity about the
10 amounts they are paying for approved Storm
11 Protection Plan activities. We think that kind of
12 transparency and accountability benefits customers
13 much.

14 Fourth, the agreement will reduce the volume
15 of discovery in two SPP dockets, clarify the issues
16 to be litigated for Tampa Electric, and promote
17 administrative and regulatory efficiency. This
18 will allow all of us to focus our attention and
19 resources on the merits of the company's SPP and
20 the prudence of costs associated with that plan.

21 I can provide examples of how the agreement
22 simplifies the issues and has already reduced
23 discovery disputes if requested.

24 Promoting administrative and regulatory
25 efficiency was not our primary goal in and of

1 itself, but these kinds of efficiencies benefit
2 everyone when they arise.

3 Commissioners, the parties entered into the
4 2020 agreement each with their own reasons, but all
5 recognizing that the level of regulatory activity
6 before the Commission involving Tampa Electric and
7 the other IOUs this year and next will be greater
8 than normal. None of us are afraid of hard work,
9 but we all hope that approving the 2020 agreement
10 will help better manage the workload ahead of us.

11 Before I finish, I would like to thank the
12 consumer parties for their hard work and
13 cooperation on the agreement. We don't always
14 agree, but we agree when we can.

15 Going back to 2013, we have been able to
16 listen to each other, consider what's good for
17 customers and talk through complex issues with
18 professionalism, candor and respect. Sometimes our
19 discussions become very spirited, but we seem to
20 have found a way as a group to be hard on ideas and
21 easy on people, and that makes our conversations a
22 little more tolerable.

23 I would also like to thank your staff for
24 their hard work in cooperation scheduling this
25 hearing. They jumped right on the motion and

1 agreement as soon as we filed it. They asked tough
2 questions and played an important role in getting
3 us here today.

4 And I guess I would like to add a special
5 thanks to Mike and Lee for their help with the
6 technology this morning.

7 Finally, I would like to thank you,
8 Commissioners, for your time this morning, Tampa
9 Electric looks forward to answering any questions
10 you may have, following which the company will ask
11 that you approve the 2020 agreement.

12 Thank you.

13 CHAIRMAN CLARK: Thank you, Mr. Wahlen.

14 Okay, OPC, Mr. Rehwinkel.

15 MR. REHWINKEL: Yes. Good morning again, Mr.
16 Chairman and Commissioners. My name is Charles
17 Rehwinkel, and I am here with J.R. Kelly, Mireille
18 Fall-Fry and Marshall Willis, who is our CPA and
19 regulatory expert.

20 I would like to thank Mr. Wahlen for his
21 comprehensive remarks and express our agreement and
22 appreciation for his statements. It's -- it's a
23 breath of fresh air to be able to work in an
24 environment like this, so thank you.

25 Public Counsel is here today in support of the

1 comprehensive and multifaceted agreement that is
2 before you. J.R. Kelly, the Public Counsel, by his
3 signature, has indicated his belief that the
4 settlement, taken as a whole, is fair to customers
5 and the company, and is in the public interest.
6 While we support the entire agreement, I would like
7 to highlight one element in my comments this
8 morning.

9 Public Counsel submits that a primary reason
10 this deal is fair to customers is because it
11 establishes that Tampa Electric has fairly,
12 rationally and transparently identified the base
13 rate impacts of its storm hardening activities, and
14 has committed to removing them from base rates so
15 that they may be included in its filing for SPP for
16 Storm Protection Plan clause recovery, and there
17 after tracked and evaluated.

18 While the OPC may challenge the need for some
19 of the incremental new programs or activities that
20 Tampa Electric proposes for approval as a part of
21 the SPP docket, these transferred base rate costs
22 are eligible for inclusion in and recovery through
23 the clause upon your approval of the agreement.

24 This agreed to process is fair and
25 transparent, and will allow the Commission to

1 identify and report to the Legislature and to the
2 public on the true incremental rate impact of the
3 costs you may ultimately approve in the CRC or
4 clause -- or cost recovery process.

5 Furthermore, Commissioners, by your approval,
6 we believe that you will largely, if not entirely,
7 eliminate the need for the Public Counsel to
8 litigate Tampa Electric's portion of the SPP clause
9 recovered docket, or docket 20200092.

10 We commend Tampa Electric for its willingness
11 to work out this process and to be fully
12 transparent in doing so. Again, we ask for your
13 support for the settlement as being in the public
14 interest.

15 I want to thank you, and I would also like to
16 add a special thank you to your staff for their
17 prompt, thorough and in-depth review under very
18 trying circumstances of the matters covered in the
19 settlement.

20 Thank you.

21 CHAIRMAN CLARK: Thank you, Mr. Rehwinkel.
22 FIPUG, Mr. Moyle.

23 MR. MOYLE: Thank you, Mr. Chairman.

24 FIPUG wants to be clear on the record that we
25 support this 2020 settlement agreement. We think

1 it's a good idea, and we think it's in the public
2 interest.

3 I also want to commend Tampa Electric for the
4 approach that they took reaching out to the parties
5 in a constructive, productive, and we believe
6 instructive way with respect to the PP -- the Storm
7 Protection Plan issues. They have come up, we
8 believe, with a workable approach that had give and
9 take associated with it, you know, a lot of the
10 issues, it dealt with more dockets, and we think
11 that we have done a good job of identifying areas
12 where we could reach agreement that we didn't need
13 to burden the Commission with, but we've also, I
14 think, done a good job of identifying areas where
15 we need either further conversations or we are
16 going to need to ask the Commission when they get
17 to an issue, to give their thought and
18 consideration to any disputes that we may -- may
19 have.

20 So at the end of the day, we think it's a good
21 agreement. We think it's worthy of your positive
22 action and support. And there has been discussion
23 about administrative efficiency. I thought it
24 would not be a good idea to take the entire five
25 minutes allotted to me to give an opening statement

1 if one of the -- the key aspects of this is
2 administrative efficiency. So with that, I will
3 close.

4 Thank you, Mr. Chair.

5 CHAIRMAN CLARK: Thank you, Mr. Moyle, for
6 yielding that time back to us.

7 Mr. Wright.

8 MR. WRIGHT: Thank you, Mr. Chairman and
9 Commissioners. Good afternoon.

10 The Florida Retail Federation supports the
11 2020 settlement agreement. It provides fair value
12 to all parties, and it will significantly and
13 importantly ensure transparency on multiple issues
14 in multiple proceedings before the Commission.

15 We are particularly grateful for the
16 cooperation of Tampa Electric, their initiative in
17 starting this process, and all the other parties,
18 and especially for the hard work put in by Tampa
19 Electric personnel, the Public Counsel's personnel,
20 especially Mr. Willis, and especially also your
21 staff in bringing this in for a landing.

22 In summary, the 2020 settlement agreement is
23 fair to all. It is in the public interest, and the
24 Retail Federation urges the Commission to approve
25 this comprehensive settlement.

1 Thank you.

2 CHAIRMAN CLARK: Thank you, Mr. Wright.

3 FEA, Mr. Jernigan.

4 MR. JERNIGAN: Pardon me. Thank you, sir.

5 Thank you, Commissioners.

6 The FEA also supports the -- the settlement as
7 prepared in front of you, and would like to thank
8 all the parties, including TECO, for their efforts
9 in reaching out to us and -- and bringing this
10 forward so that we can bring something forward to
11 the Commission that will -- of all the consumers
12 and the efficiencies that have already been
13 mentioned. And we urge the Commission to adopt the
14 settlement as written.

15 Thank you very much.

16 CHAIRMAN CLARK: Thank you, Mr. Jernigan.

17 HUA, Mr. Sundback.

18 MR. SUNBACK: Good afternoon, Mr. Chairman and
19 Commissioners.

20 The hospitals support the settlement as filed.
21 It's in the public interest by enhancing clarity
22 and predictability around the SPP, as well as the
23 projects and the cost recovery methodologies that
24 would be implemented under that program. It should
25 enhance the likelihood that public safety

1 facilities and critical public infrastructure can
2 maintain service during storms, that benefits the
3 entire population.

4 The hospitals would like to commend the
5 settlement participants, starting with TECO and all
6 of the other participants as well for finding
7 mutually agreeable resolutions that are embodied in
8 the settlement. We would like to thank the staff
9 for its effort and the Commission -- and the
10 Commissioners themselves for their time and
11 attention on this important matter.

12 Thank you.

13 CHAIRMAN CLARK: Thank you very much.

14 Walmart, Ms. Eaton.

15 MS. EATON: Good afternoon, Commissioners and
16 counsel.

17 Walmart appreciates the opportunity to
18 participate in the SPP docket 20200067 and
19 20200092. While Walmart is not a signatory to the
20 TECO 2020 settlement agreement, Walmart does not
21 oppose the approval of the 2020 settlement
22 agreement, so it does not waive its position as to
23 parts of the SPP that are not covered by the
24 settlement agreement.

25 Walmart appreciates the efficiencies, the

1 agreements to that we did achieve and wants to
2 thank, especially Ms. Lherisson for all of her work
3 coordinating the hearing.

4 Thank you.

5 CHAIRMAN CLARK: Thank you very much.

6 Okay. That concludes our opening statement.
7 We will move into the portion of the agenda where
8 we have set aside for public testimony. We have
9 notified everyone there is an opportunity for
10 members of the public who wish to testify on this
11 matter to do so, either telephonically or by
12 submitting their comments in writing.

13 I would like to note for the record that there
14 were no requests for public testimony. There were
15 no comments that were filed, but at this time, we
16 will open the floor up if there is anyone that has
17 dialed in or called in specifically to address the
18 Commission in this matters.

19 Is anyone on the line requesting to address
20 the Commission?

21 Ms. Helton.

22 MS. HELTON: Mr. Chairman, it's my
23 understanding that no member of the public
24 identified themselves as wishing to speak today.

25 CHAIRMAN CLARK: Okay. All right. Thank you

1 very much.

2 Let's move to the next item, marking and
3 moving exhibits. Staff.

4 MS. LHERISSON: Staff has -- staff has
5 prepared a comprehensive exhibit list which
6 includes TECO's agreed to motion to approve the
7 2020 agreement with the 2020 agreement itself
8 attached as Exhibit A to the motion.

9 Also, on the comprehensive exhibit list, as
10 Exhibit Nos. 2 through 7, are a series of TECO's
11 responses to staff's data request and TECO's
12 revised petition filed in Docket No. 20200065.

13 The list and the identified exhibits have been
14 provided to the parties, Commissioners and the
15 court reporter.

16 Staff requests that the comprehensive exhibit
17 list itself be marked as Exhibit No. 1, with all
18 subsequent exhibits marked as identified on the
19 list.

20 COMMISSIONER GRAHAM: Okay. The exhibits will
21 be marked as they have been identified.

22 (Whereupon, Exhibit No. 1 was marked for
23 identification.)

24 (Whereupon, Exhibit Nos. 2-7 were marked for
25 identification.)

1 MS. LHERISSON: It is staff's understanding
2 that the parties do not object to the entry of
3 Exhibits 1 through 7. Staff requests that Exhibits
4 1 through 7 be entered into the record at this
5 time.

6 CHAIRMAN CLARK: Okay. Unless there is an
7 objection, we are going to move them into the
8 record, do I hear objections?

9 Hearing none, they are moved into the record.

10 (Whereupon, Exhibit Nos. 1-7 were received
11 into evidence.)

12 CHAIRMAN CLARK: Okay. Let's go to witnesses.

13 MS. LHERISSON: TECO witnesses, Jeff
14 Chronister and Penelope Rusk are available to speak
15 in support of the 2020 agreement and to answer any
16 questions by the Commissioners.

17 CHAIRMAN CLARK: All right. At this time, I
18 will swear in the witnesses that are going to be
19 testifying.

20 Mr. Chronister and Ms. Rusk, would you raise
21 your right hand and repeat after me.

22 Whereupon,

23 JEFF CHRONISTER

24 PENELOPE RUSK

25 were called as a witness, having been first duly sworn

1 to speak the truth, the whole truth, and nothing but the
2 truth, was examined and testified as follows:

3 WITNESS CHRONISTER: I do.

4 WITNESS RUSK: I do.

5 CHAIRMAN CLARK: Okay. Thank you very much.

6 All right. I would like to ask TECO's counsel
7 to introduce their witnesses and to relay for us
8 their area of expertise as it pertains to the 2020
9 agreement, then the witnesses will have three
10 minutes to provide their summary.

11 Mr. Wahlen.

12 MR. WAHLEN: Thank you, Mr. Chairman.

13 This morning, we have a panel of two
14 witnesses, Penelope Rusk, who is employed by Tampa
15 Electric as Director of Regulatory Affairs. She
16 will handle questions about the software docket and
17 the 4th SoBRA docket.

18 Mr. Chronister is our second witness. He is
19 the Vice-President of Finance and Comptroller of
20 Tampa Electric. His areas include the matters in
21 the 2020 agreement that relate to the SPP plan and
22 Cost Recovery Clause docket.

23 But they are both available to answer your
24 questions. They each have a brief summary, and
25 with your permission, you could call on them one at

1 a time and they would offer their statements to the
2 Commission.

3 CHAIRMAN CLARK: Thank you very much. We will
4 do so.

5 Ms. Rusk, we will begin with you. I am sorry.
6 One moment.

7 MS. HELTON: Mr. Chairman, were you going to
8 swear the witnesses in before they --

9 CHAIRMAN CLARK: I did. I thought I did
10 anyway.

11 All right. Ms. Rusk, we will begin with you.

12 WITNESS RUSK: Good afternoon, Commissioners.
13 My name is Penelope Rusk, and I am employed by
14 Tampa Electric as the Director of Regulatory
15 Affairs, here to address sections one and two of
16 the agreement relating to the company's software
17 amortization petition and the 4th SoBRA docket.

18 I agree that the 2020 agreement is in the
19 public interest for the reasons already explained
20 by Mr. Wahlen. I also state for the record that
21 Tampa Electric responses to staff's data requests
22 included in the exhibits listed in the
23 comprehensive exhibit list are true and correct to
24 the best of my knowledge.

25 Tampa Electric filed its amortization petition

1 on February 28th, 2020, and revised its petition on
2 April 20th, 2020, and requested permission in both
3 to credit an approximately \$16 million amortization
4 reserve surplus through amortization expense during
5 2020.

6 The consumer parties have agreed that the
7 relief requested in the amortization petition does
8 not violate the 2017 agreement, and should be
9 granted.

10 Approving the 2020 agreement will resolve this
11 docket without a hearing, which promotes regulatory
12 efficiency and is in the public interest. And
13 importantly for customers, it provides Tampa
14 Electric a little cushion during these very
15 uncertain times, and reduces the possibility that
16 the company will need to seek general base rate
17 relief prior to January 1st, 2022.

18 The 2020 agreement also resolves the potential
19 issue about the interpretation of the cost cap
20 trigger for the company's 4th SoBRA as specified in
21 paragraph six of the 2017 agreement.

22 Public Counsel has taken the position that for
23 the company to meet that trigger for the 4th SoBRA
24 a two-part test should apply, namely the average
25 cost of the project in the company's 1st SoBRA must

1 be less than or equal to \$1,475 per kW, and in
2 addition, the average cost of the project in the
3 2nd SoBRA must be less than or equal to \$1,475 per
4 kW.

5 The company believes that if it meets the cost
6 cap trigger for the 4th SoBRA through a one-part
7 test, namely the average cost of the project in
8 both the 1st and 2nd SoBRAs taken together must be
9 at or below that \$1,475 per kW cap.

10 To the extent that the cost of the actual 1st
11 and 2nd SoBRAs are determined in our 1st and 2nd
12 SoBRA true-up docket makes this difference an issue
13 in the docket, the consumer parties have agreed
14 that the one-step test proposed by Tampa Electric
15 shall be used to request the eligibility of the 4th
16 SoBRA for recovery under the SoBRA mechanism. This
17 agreement eliminates a potential issue in that
18 docket, and promotes regulatory efficiency and is
19 in the public interest.

20 I would be happy to answer any questions if
21 you have in these areas.

22 CHAIRMAN CLARK: Thank you, Ms. Rusk.

23 Any Commissioners have any questions for Ms.
24 Rusk?

25 All right. We will move right on to Mr.

1 Chronister.

2 WITNESS CHRONISTER: Thank you, Commissioners.

3 Can you hear me?

4 CHAIRMAN CLARK: Yes, sir, we can hear you.

5 WITNESS CHRONISTER: Very good. Thanks.

6 My name is Jeff Chronister. I am employed by
7 Tampa Electric as its Vice-President of Finance and
8 Comptroller. I am here to discuss Section 3 of the
9 2020 agreement which addresses elements of the
10 company's Storm Protection Plan and issues in the
11 upcoming Storm Protection Plan Cost Recovery
12 Clause.

13 I agree with Mr. Wahlen's description of
14 Section 3 and the \$15 million base rate reduction
15 in Section 3. I also agree that the 2020 agreement
16 is in the public interest for the reasons explained
17 by Mr. Wahlen.

18 I would like to point out that the \$15 million
19 base rate reduction provided for in the 2020
20 agreement is not a black box amount. It was agreed
21 to by the parties after a thorough review of the
22 actual 2018 and 2019 costs associated with the six
23 activities currently being performed by the company
24 that have been included and expanded for in the
25 company's Storm Protection Plan, which we filed on

1 April 10th, 2020.

2 The parties included the calculation of this
3 amount in the exhibits to the 2020 agreement so
4 that your staff and the public could see how the
5 amount was calculated.

6 The agreement provides consumers with
7 protections that there will be no double recover
8 and transparency that allows customers to know what
9 is included in the Storm Protection Plan activities
10 and costs.

11 I would like to highlight briefly some of the
12 provisions and explain how they benefit customers
13 and are in the public interest.

14 The agreement provides for project level
15 detail. It provides a cutoff point for the
16 initiation of projects to be included in the
17 clause. We have agreed to maintain our accounting
18 records in a way that establishes a clear line
19 between rate base capital assets and costs --
20 (inaudible) -- assets. We have agreed to the
21 handling of cost removal and depreciation expense
22 savings treatment that allows all for reduction in
23 the possibility of double recovery, and it benefits
24 the customers.

25 As I mentioned, these reasons to protect

1 ratepayers against double recovery of costs
2 currently covered through base rates, they provide
3 comprehensive transparency for SPP Cost Recovery
4 Clause costs, they promote regulatory and
5 accounting efficiency, and are in the public
6 interest.

7 I would be happy to answer any questions you
8 may have in these areas.

9 CHAIRMAN CLARK: Thank you, Mr. Chronister.
10 Okay. Commissioners, any questions for Mr.
11 Chronister?

12 Commissioner Polmann.

13 COMMISSIONER POLMANN: Thank you, Mr.
14 Chairman.

15 Just a comment. You noted, sir, that the --
16 the calculation, the dollar amount that was
17 provided is not a reflection of a black box, and
18 that you provided transparency and details on the
19 calculation, and -- and I -- I would suggest TECO
20 and the -- and the parties involved, I will express
21 the utility to correctly make depreciation for the
22 detail that was provided, the transparency in
23 bringing forth that information. OPC identified
24 transparency specifically.

25 We have had many comments in the past

1 settlements regarding the notion of a black box,
2 and the Commission is very concerned about not
3 having full information, and I understand the
4 circumstances under which that -- those conditions
5 occurred. But again, I am deeply appreciative of
6 the detail and willingness for Tampa Electric to
7 provide the detail, the opportunity for staff --
8 (inaudible) -- forward, and it provides us truly
9 the information that we feel most comfortable with
10 in being able to judge and evaluate public the
11 interest test.

12 I -- I will say here that -- that I am hopeful
13 that your example sets -- sets the stage for future
14 activities, future discussions among -- among all
15 of the parties, utilities.

16 So I thank -- I thank the utility for this
17 effort. I look forward to more detail on
18 settlement agreements going forward.

19 Thank you, sir.

20 CHAIRMAN CLARK: Thank you, Commissioner
21 Polmann.

22 Commissioner Brown.

23 COMMISSIONER BROWN: Thank you, Mr. Chairman.

24 I am actually very impressed that you got all
25 of these parties together to come to an agreement

1 on such an all-encompassing settlement agreement
2 that really covers a lot of material, and you --
3 and you did it very quickly. I am hopeful that
4 this will be -- will help avoid an adversarial
5 process in the SPP docket for this utility.

6 I do also want to say -- I do have a few
7 questions, but I want to -- we have said this
8 before at the Commission. We are dedicated to
9 transparency of any incremental rate impact in all
10 of the SPP, not just for TECO. So that is an
11 underlying theme that we have been repeating since
12 the Storm Protection Rule was implemented.

13 I do have a question, Mr. Chronister, for you.

14 Regarding comment on page seven of the actual
15 settlement agreement regarding the project level
16 detail of those three programs that do not have
17 project components, education management,
18 infrastructure inspections and legacy storm
19 hardening initiatives, as well as the extreme
20 weather hardening study.

21 So when -- I am curious when the Commission
22 will actually get updates on the milestones for
23 each of these projects through different storm
24 hardening initiatives since there aren't going to
25 be specific project level specific components

1 details.

2 WITNESS CHRONISTER: Sure. Those particular
3 programs in the SPP actually don't involve capital
4 expenditures. They only involve O&M expense. And
5 so the distinction there is that there won't be
6 capital project level detail for those because
7 there won't be capital projects with those.

8 So what will happen is you will see when we
9 make our filing for the SPP Cost Recovery Clause,
10 you will see all of the expense detail to support
11 the expenses that we have in those particular
12 programs.

13 COMMISSIONER BROWN: So in terms of, like, for
14 example, vegetation management, you know, under our
15 previous storm hardening guidelines, we would get
16 updates, let's say, you know, how many miles of
17 vegetation you cleared; additionally, hardening for
18 the extreme weather hardening, how many projects or
19 how many poles have been hardened, et cetera. Will
20 we get those milestones in addition annually at
21 the -- at the cost recovery or every three years
22 when TECO files its Storm Protection Plan?

23 WITNESS CHRONISTER: You will -- you will see
24 it in both situations. So you will -- you will see
25 it in the Storm Protection Plan information that we

1 file when we file our SPP, but there will also be
2 statistical support of the expense profile when we
3 submit testimony related to the clause recovery.

4 COMMISSIONER BROWN: I think that information
5 is so important, and I rely on it year-round so I
6 think I that that's -- I would like to make sure
7 that we have that information.

8 Also, on page 11 of the settlement agreement,
9 we've got the unplanned vegetation management
10 activities, and it's kind of along the same lines.

11 The unplan -- unplanned vegetation management
12 will be outside of the SPP, obviously, because it's
13 unplanned so it's going to be in base rates moving
14 forward. So are we going to get annual updates,
15 though, on any of the unplanned vegetation
16 management? How are we going to receive info?

17 WITNESS CHRONISTER: Yes, so unplanned
18 vegetation management, some examples of it are if
19 lightning hits a tree, or wind uproots a tree, or
20 if a car or a vehicle runs into and damages a tree,
21 those -- those vegetation management activities are
22 the unplanned vegetation management. And because
23 of the uncertainty of exactly how those events will
24 occur and how the expenses will be incurred, we
25 wanted to keep that volatility out of the clause

1 and have that be in base rate.

2 But to your point, we -- you know, we are more
3 than happy to provide information to the Commission
4 as it expenses that we are incurring as it relates
5 to unplanned vegetation management. So there will
6 still be a full record in our accounting records
7 and -- and our ability to communicate to the
8 Commission the dollar amounts associated with
9 unplanned vegetation.

10 COMMISSIONER BROWN: That -- that's great,
11 because unplanned can actually grow exponentially,
12 and so I think it's important for the Commission
13 to -- to just have that information even though
14 that amount is going to continue to be -- or is
15 going to stay in base rate, we still want that
16 detail because it can be over -- a part can be
17 overall Storm Protection Plan.

18 WITNESS CHRONISTER: Yeah, and I -- and I
19 think that unplanned vegetation management and
20 planned vegetation management actually are in
21 concert. And so I think over time, we will -- we
22 will look at those and be able to understand and --
23 and, you know, talk to the Commission about how
24 they interrelate.

25 COMMISSIONER BROWN: Right. So if you have a

1 hurricane, you are going to have, you know,
2 that's -- (inaudible) -- should be incorporated
3 into the overall SPP --

4 WITNESS CHRONISTER: Yeah.

5 COMMISSIONER BROWN: -- so that the Commission
6 has a holistic approach moving forward, and to rely
7 on that holistic approach.

8 And along the same lines, the distribution
9 pole replacement, which is the legacy storm
10 hardening activity, so in terms of cost recovery,
11 that amount is going to continue to stay in base
12 rates, if I am correct --

13 WITNESS CHRONISTER: Yes.

14 COMMISSIONER BROWN: -- but it will be part of
15 the SPP.

16 WITNESS CHRONISTER: Correct. And so to your
17 point, the Storm Protection Plan itself will have
18 distribution pole replacements in it, and -- and
19 the entirety of distribution pole replacement along
20 with all the things that we do with our
21 infrastructure is going to be a critical sort of
22 comprehensive picture that we have to provide to
23 the Commission.

24 And really, because of the fact that
25 distribution poles are tracked more by vintage than

1 location, just because of the nature of the asset,
2 the accounting for it is -- is unique enough that
3 it made sense and created some efficiency and
4 effectiveness in the accounting for it to keep it
5 on the base rate side of things as opposed to the
6 cost.

7 COMMISSIONER BROWN: Yeah, and it will still
8 be part of the analysis for SPP?

9 WITNESS CHRONISTER: Correct. And I think --
10 I think the -- the -- the note that you are -- that
11 you are making here is important in that when you
12 think about the SPP plan, then there will be a
13 subset of SPP that goes through the clause, but the
14 company will continue to communicate the entirety
15 of the statistics and dollars associated with the
16 plan. So the Commission will see statistics and
17 dollars for the plan and statistics and dollars
18 associated with what's traveling through the
19 clause.

20 COMMISSIONER BROWN: That's great. That's
21 exactly what I wanted.

22 So lastly, the third paragraph on page 14,
23 under 15, subsection (c), regarding other SPP
24 items, it says that beginning October 1st, 2020,
25 and for a period of 60 days thereafter, the utility

1 and the parties will meet, will work in good faith
2 to identify a method to all parties to modify the
3 analytical framework used in the development of the
4 company's SPP Docket 067. What does that mean?
5 And what happens if you can't come to an agreement
6 unanimous -- unanimously the settlement doesn't
7 provide for that?

8 WITNESS CHRONISTER: So I am going to do two
9 things. I will just briefly mention what it is and
10 then turn it over to Mr. Wahlen.

11 This is more of an administrative step having
12 to do with discussions of some future elements of
13 the SPP, and so I am going to turn it over to Mr.
14 Wahlen to explain that.

15 COMMISSIONER BROWN: Thank you.

16 MR. WAHLEN: Commissioner Brown, while we were
17 negotiating the agreement, some of the consumer
18 parties raised some ideas with us about how we
19 would evaluate SPP projects that impact public
20 safety. And as you know, we have kind of been on a
21 sprint to get our plan filed and -- and everything
22 going, and it would have been, I think, difficult
23 for us to make some changes on the fly.

24 So we've agreed to meet with the consumer
25 parties in October after the -- the plan docket has

1 started to wind down to talk about those ideas for
2 the next cycle. We anticipate that the -- the
3 meeting initially will be just with the consumer
4 parties, and, you know, if we don't reach an
5 agreement on a change, you know, everybody will
6 have a chance to litigate their position in the
7 next cycle. If we can agree on a change, we will
8 include that in our next cycle.

9 Along the way, I want to be clear, after we
10 talk with the consumer parties, we will make it a
11 point to talk with staff, and -- and brief your
12 staff on what's going on. And just so there is no
13 concern about it, we will be willing to talk with
14 any of our customers about ideas that they have for
15 improving the way we develop our plan in the
16 future.

17 So we have had a pretty good track record
18 working with the consumer parties on reaching
19 agreement. We are optimistic that we will be able
20 to do something that makes sense, and are going to
21 proceed forward in an optimistic way. And we will
22 keep staff informed on our progress, and also be
23 willing to talk with other customers along the way.

24 COMMISSIONER BROWN: I appreciate that -- the
25 answer, and also recognize the -- the swift nature

1 that this all had to occur prior to the -- the
2 dockets that we are going to hear in the fall.

3 When you say public safety, are -- the
4 settlement agreement doesn't really address
5 directly undergrounding, which was a big focus of
6 the actual original legislation that led to the
7 development of the rule. Are -- are you talking
8 about undergrounding in terms of certain critical
9 infrastructure areas or just broader than that?

10 MR. WAHLEN: Well, I think undergrounding will
11 be a key part of it. There -- there may be other
12 pieces. I don't want to get too far into a
13 discussion of how our plan was developed and the
14 methodologies that are in there, because they are
15 spelled out in our testimony, but we are going to
16 take a look at how we measure customer benefit,
17 and -- and how that works for important public
18 safety facilities like hospitals, police stations,
19 hurricane shelters, those sorts of things, not just
20 for undergrounding, but for other things as well.

21 COMMISSIONER BROWN: Thank you, Mr. Wahlen,
22 and thank you, Mr. Chronister, again. Very
23 appreciative of having this for consideration.
24 It -- it really is all-encompassing, and -- and
25 really is going to help with the administrative

1 efficiency component here.

2 WITNESS CHRONISTER: Thank you.

3 COMMISSIONER GRAHAM: Thank you, Commissioner
4 Brown.

5 Commissioner Polmann.

6 COMMISSIONER POLMANN: Thank you, Mr.
7 Chairman.

8 A follow-up to the last question from
9 Commissioner Brown to Mr. Wahlen in that same
10 paragraph there.

11 As I understand the point of the paragraph,
12 the whole first sentence, in fact, indicates, if I
13 am reading it correctly, you are working to
14 identify a method to modify the analytical
15 framework. So even -- even though you -- in the
16 parentheticals, there are two items that are --
17 that are called out, the effort is really a
18 modification of the framework you used to develop
19 the plan.

20 So if I heard your comments, or I understood
21 your comment in answering Commissioner Brown,
22 you -- you spoke to the -- the cost,
23 cost-effectiveness, or perhaps I misunderstood.
24 Could you -- could you just round back on
25 explaining the intent of working with the parties

1 and what it is that -- that you are trying to keep
2 going forward and -- and looking to modify the
3 framework?

4 MR. WAHLEN: Sure. Good question.

5 Our -- our Storm Protection Plan, and the
6 cost-effectiveness calculations we have done, and
7 the ranking that we have done of undergrounding in
8 other projects is -- is based on a pretty rigorous
9 engineering and cost-effectiveness test.

10 And so what we are talking about here is not
11 just looking at a list of projects and negotiating,
12 you know, on which projects should be, you know,
13 moved to the front of the line, if you will, but
14 rather to look at the approach that we have taken,
15 and whether the approach that we have taken can be
16 improved going forward to recognize, you know, the
17 importance of certain features.

18 This is the first time Tampa Electric has
19 prepared a plan like this. I think it's the first
20 time the Commission will be considering these
21 plans. It's possible, of course, that we got it
22 perfect the first time, but we are open to the idea
23 that what we have done can be improved in the next
24 cycle.

25 We expect that we will learn from the other

1 utilities. We think the hearing process and
2 working with staff will inform us, and that, as we
3 move forward, we can be smarter tomorrow than we
4 were today, and improve the process that we use in
5 the analytical work that we do to develop these
6 plans in the next cycle.

7 COMMISSIONER POLMANN: Thank you, sir.

8 So if I -- if I understood what you just said,
9 there are really two aspects of this. One is the
10 nature of -- of the answer to the question, and the
11 other is the method of answering the question.

12 MR. WAHLEN: I think that's a fair --

13 COMMISSIONER POLMANN: Yeah.

14 MR. WAHLEN: -- that's a fair assessment.

15 COMMISSIONER POLMANN: So what this paragraph
16 speaks to is examination of your methodology, as it
17 says here, the analytical framework and -- and to
18 review how you might improve your method.

19 MR. WAHLEN: That's correct.

20 COMMISSIONER POLMANN: And there is a -- there
21 is a particular identification here of the public
22 safety aspect of it being very important.

23 MR. WAHLEN: That's correct.

24 COMMISSIONER POLMANN: Okay. Well, thank --
25 thank you, Mr. Wahlen.

1 Thank you, Mr. Chairman.

2 CHAIRMAN CLARK: Thank you, Commissioner
3 Polmann.

4 Any other questions for either of these two
5 witnesses?

6 Okay. Mr. Wahlen, would you like to have your
7 witnesses excused?

8 MR. WAHLEN: Yes, sir. We would ask that you
9 excuse the witnesses.

10 CHAIRMAN CLARK: All right. Thank you very
11 much for your testimony today.

12 (Witnesses excused.)

13 COMMISSIONER GRAHAM: All right. Let's move
14 to other matters.

15 Do the parties have any other matters that
16 need to be addressed at this time?

17 Staff?

18 MS. LHERISSON: Staff understands that the
19 parties before you have agreed to waive the filing
20 of post-hearing briefs. If there are no further
21 proceeding matters to be addressed, staff believes
22 that if you so choose, the Commission may make a
23 bench decision at this time.

24 CHAIRMAN CLARK: Okay. Commissioners, that's
25 where we come in. What's the pleasure of this

1 group? Are you guys ready to make a decision
2 today? Any questions or comments?

3 COMMISSIONER BROWN: Yes, sir.

4 CHAIRMAN CLARK: Commissioner Fay.

5 COMMISSIONER FAY: Thank you, Mr. Chairman.
6 And I just have a comment.

7 I think the -- the turnaround on this is
8 extremely impressive, and I think even when these
9 statutes were originally passed and implemented
10 through the rule-making process, I think all of
11 that has been expedited. So I think the parties
12 have consistently, on all sides, consistently
13 worked extremely hard to get us in this posture.

14 I -- I think this -- this agreement is in the
15 public interest for a number of reasons, and I
16 am -- I am very supportive of it, not of the least
17 that I am the prehearing officer on the recovery
18 clause docket, and so I think that's -- it's always
19 nice to see that some of these issues are being
20 worked out ahead of time.

21 But I do think it also lays somewhat of a
22 clear roadmap for the clarity of the process to
23 ensure there -- there is separation between the --
24 the base rate capital investments and the recovery
25 clause process and investments. And I think

1 that -- that was clear in the statute and that's
2 clear in the rules, and so this is something that I
3 believe, based on the -- the testimony and what's
4 been put in the settlement does that with clarity.
5 And I think that's important to do. And I
6 recognize that each utility is different, but I am
7 hopefully that -- that that will be taken into
8 consideration for future decisions on ensuring that
9 that line is clear.

10 And the final part of it is, and it was
11 discussed a little bit by my colleagues, in that
12 we -- some of the discussion of this we will see
13 will lead to improvement and better operation as we
14 move forward beyond our -- our first and second
15 year of this, but I think Commissioner Brown asked
16 some very good questions, in that some of what
17 we -- we hear regarding this will be very customer
18 oriented, and might impact an undergrounding or
19 might impact something in -- in their -- their
20 area, and I think the constant communication moving
21 forward with these investments is -- is also a key
22 point for the utilities to put forward, and I think
23 the settlement does that.

24 So with that, I am -- I am in support of
25 the -- to approve the 2020 settlement as written,

1 but I will let my colleagues opine.

2 CHAIRMAN CLARK: Thanks you, Commissioner Fay.

3 Any other comments from Commissioners?

4 Commissioner Brown.

5 COMMISSIONER BROWN: Second all the way
6 around.

7 CHAIRMAN CLARK: Any other comments?
8 Commissioner Polmann?

9 COMMISSIONER POLMANN: I think we are taking
10 Commissioner Fay's remarks as a motion, and I would
11 also second that motion.

12 CHAIRMAN CLARK: All right. Commissioner --
13 Commissioner Fay, did you move to approve the
14 settlement agreement as presented?

15 COMMISSIONER FAY: I do, Mr. Chairman.

16 CHAIRMAN CLARK: All right. We have a motion
17 and we have a second.

18 Any further discussion?

19 All on the motion, all in favor, say aye.

20 (Chorus of ayes.)

21 CHAIRMAN CLARK: All right. We got everybody
22 recorded as an aye.

23 All right. The item is approved by your vote.

24 Okay. Are there any other matters that we
25 need to address here today from the parties?

1 MR. WAHLEN: None from Tampa Electric, except
2 thank you.

3 CHAIRMAN CLARK: All right. Thank you all for
4 your participation. Thank you for your hard work.
5 Staff.

6 MS. LHERISSON: With the Commission making a
7 bench decision, staff notes that a final order is
8 due to be issued by June 29th.

9 CHAIRMAN CLARK: All right. We will make that
10 so.

11 All right. Seeing no other additional
12 matters, we are going to adjourn this hearing.

13 Just a reminder, the IA will occur -- do we
14 need 30 minutes? We need 30 minutes. So we will
15 have IA back here in this same room in exactly 30
16 minutes.

17 No questions? We are adjourned.

18 (Proceedings concluded at 12:47 p.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 17th day of June, 2020.



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