



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

2 CHAIRMAN CLARK: Let's move to Item No. 5.

3 Mr. Stiller, you are still up.

4 MR. STILLER: Thank you, Mr. Chair.

5 Item 5 involves the staff recommendation that  
6 the Commission reconsider, on its own motion, a  
7 prior order in this docket that allowed Peoples Gas  
8 System to establish a regulatory asset to record  
9 costs incurred due to COVID-19.

10 Like the prior agenda item, this order was  
11 entered as a final order, not proposed agency  
12 action, or PAA. On the same basis as discussed  
13 with respect to Agenda Item 4, staff believes that  
14 the order should have been entered as a PAA.

15 Again, the appropriate relief for this item is  
16 to vacate a prior order and render it as PAA.

17 Staff is available for questions.

18 CHAIRMAN CLARK: Thank you, Mr. Stiller.

19 Ms. Fall-Fry and Mr. Brown, I believe are --  
20 or Ms. Fall-Fry has requested to make comments.

21 Ms. Fall-Fry, are you on the line?

22 MS. FALL-FRY: I am here. Can you hear me?

23 CHAIRMAN CLARK: Yes, we can.

24 MS. FALL-FRY: Okay. This is A. Mireille  
25 Fall-Fry for the Office of Public Counsel, along

1 with J.R. Kelly, the Public Counsel.

2 I just want to thank staff for and the support  
3 of the recommendation and appreciate the integrity  
4 that's required to admit the error in its prior  
5 recommendation to this Commission.

6 Furthermore, to answer Commissioner Brown's  
7 previous question, and Commissioner Fay's previous  
8 question, in this item before the Commission at  
9 Agenda, I specifically noted the prior regulatory  
10 asset case -- cases and how they went forward, and  
11 specifically requested that the Commission issue a  
12 PAA on this item. So we appreciate that the  
13 Commission is getting ready to do that, it appears,  
14 on its own motion, and I thank you for the  
15 consideration.

16 CHAIRMAN CLARK: Thank you very much.

17 Mr. Brown, any comments?

18 MR. BROWN: No, sir.

19 CHAIRMAN CLARK: Thank you.

20 Commissioners, questions?

21 Commissioner Brown.

22 COMMISSIONER BROWN: I have a question similar  
23 to the one in the last docket, regarding  
24 appealing -- my understanding is you have filed an  
25 official appeal on this matter, and with the rate

1 case being so close to the current -- to this point  
2 of entry here, is it your objective to have two  
3 separate hearings?

4 MS. FALL-FRY: Yes.

5 COMMISSIONER BROWN: Pardon me, one quick --

6 MS. FALL-FRY: The entry of a regulatory  
7 asset -- I am sorry, can you hear me?

8 COMMISSIONER BROWN: Yes.

9 MS. FALL-FRY: The -- we -- OPC's position is  
10 that regulatory assets are a two-step process.  
11 There is the entry of the regulatory -- the  
12 approval of the regulatory asset itself, which is a  
13 substantive matter, and then there is the recovery  
14 of costs itself, which is no different than when we  
15 have hurricane storm recoveries, or any other  
16 matter where there is the accounting mechanism  
17 which has to be approved by the Commission, and OPC  
18 believes it's a substantive issue that requires a  
19 hearing, and then there is the actual costs which  
20 can be wrapped into a rate case.

21 In PGS's case, there -- we are currently in a  
22 rate case, so that may not happen specifically with  
23 PGS. But with the other companies who have not yet  
24 filed their rate cases, it will probably line up  
25 better to do -- to combine the recovery with the

1 rate cases. But either way, however it works out,  
2 we would like two hearings.

3 COMMISSIONER BROWN: Thank you. I just wanted  
4 some clarification on that to see whether we -- the  
5 establishment of a regulatory asset could also be  
6 handled in the rate case proceeding rather than two  
7 separate proceedings.

8 CHAIRMAN CLARK: Other questions?

9 All right. I will entertain a motion.

10 COMMISSIONER FAY: Mr. Chairman, I will move  
11 staff's recommendation on all issues.

12 CHAIRMAN CLARK: Do I have a second?

13 COMMISSIONER BROWN: Second.

14 CHAIRMAN CLARK: I have a motion and a second  
15 to approve staff recommendation on all issues.

16 Any discussion?

17 On the motion, all in favor say aye.

18 (Chorus of ayes.)

19 CHAIRMAN CLARK: Opposed?

20 (No response.)

21 CHAIRMAN CLARK: Motion carries.

22 (Agenda item concluded.)

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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  
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IT IS FURTHER CERTIFIED that I  
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DATED this 19th day of October, 2020.



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DEBRA R. KRICK  
NOTARY PUBLIC  
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