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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20200003-GU

PURCHASED GAS ADJUSTMENT
(PGA) TRUE-UP.

_____ /

PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONERS
PARTICIPATING: COMMISSIONER ANDREW GILES FAY
PREHEARING OFFICER

DATE: Monday, October 26, 2020

TIME: Commenced: 1:30 p.m.
Concluded: 2:52 p.m.

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

REPORTED BY: ANDREA KOMARIDIS WRAY
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 and GREGORY M. MUNSON, ESQUIRES,
3 Gunster, Yoakley & Stewart, P.A., 215 South Monroe
4 Street, Suite 601, Tallahassee, Florida 32301-1839; and
5 CHRISTOPHER T. WRIGHT, ESQUIRE, 700 Universe Boulevard,
6 Juno Beach, Florida 33408, appearing on behalf of
7 Florida City Gas.

8 BETH KEATING, ESQUIRE, Gunster, Yoakley &
9 Stewart, P.A., 215 South Monroe Street, Suite 601,
10 Tallahassee, Florida 32301-1839, appearing on behalf of
11 Florida Public Utilities Company and Florida Public
12 Utilities Company - Fort Meade.

13 ANDREW M. BROWN, ESQUIRE, Macfarlane Ferguson
14 & McMullen, Post Office Box 1531, Tampa, Florida,
15 33601-1531, appearing on behalf of Peoples Gas System.

16 STUART SHOAF, PRESIDENT, and ANDY SHOAF, VICE
17 PRESIDENT, Post Office Box 549, Port St. Joe, Florida
18 32457-0549, appearing on behalf of St. Joe Natural Gas
19 Company, Inc.

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1 APPEARANCES (CONTINUED):

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

9 KURT M. SCHRADER, ESQUIRE, FPSC General
10 Counsel's Office, 2540 Shumard Oak Boulevard,
11 Tallahassee, Florida 32399-0850, appearing on behalf of
12 the Florida Public Service Commission Staff.

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

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

2 COMMISSIONER FAY: Mr. Schrader, any
3 preliminary matters we need to address before going
4 to the draft prehearing order on this docket?

5 MR. SCHRADER: Yes, Commissioner, I just want
6 to make sure everybody can hear me okay through the
7 mask.

8 So, yes, a Type 2 stipulation has been reached
9 on all issues in this docket. Staff is awaiting
10 confirmation on excusing witnesses.

11 COMMISSIONER FAY: Great. Thank you.

12 Any of the parties have any other preliminary
13 matters? Great.

14 Similar to the 02 docket, we'll work our way
15 through the prehearing draft. And if you have any
16 comments, please feel to -- feel free to speak up.

17 Case background, conduct of proceedings, and
18 jurisdiction, procedure for h- -- for handling
19 confidential information, prefiled testimony and
20 exhibits, witnesses.

21 MR. SCHRADER: Commissioner, staff suggests
22 for any witness who is not excused that the summary
23 of their testimony -- testimony be no longer than
24 three minutes.

25 COMMISSIONER FAY: Great. Thank you.

1 Ms. Helton, this would be the (technical
2 interruption), we would include the language for
3 the -- the witness.

4 MS. HELTON: Yes, sir. And it's where we're
5 waiting to hear back from the Commissioners whether
6 everyone can be excused.

7 COMMISSIONER FAY: Great. Thank you.
8 Section VI, order of witnesses.

9 MR. SCHRADER: Staff will confirm with each
10 Commissioner that witnesses can be excused. We're
11 actually in the process of doing so now. If no
12 Commissioner has any questions of those witnesses,
13 witnesses may be excused from the hearing and his
14 or her testimony and exhibits may be entered into
15 the record as though read.

16 COMMISSIONER FAY: Great. We'll move on to
17 the Section VII, basic positions. Any -- any
18 parties have any changes to their positions?

19 MS. CHRISTENSEN: Commissioner, can I just
20 make sure -- this is Patti Christensen with the
21 Office of Public Counsel. Under Section -- I
22 believe it's six, order of witnesses -- I have no
23 objection to them designating that the witness
24 testimony will be stipulated in, but the way that
25 the prehearing order reads right now, it talks

1 about, may be stipulated to by the parties.

2 And, as we said earlier, we just want to
3 reflect that it -- we have no objection to the
4 stipulation of witnesses by the parties.

5 Thank you.

6 COMMISSIONER FAY: Just to be clear,
7 Ms. Christensen, you're just clarifying that you
8 have no objection to the stipulation of those
9 witnesses?

10 MS. CHRISTENSEN: Correct. And I wanted to
11 make sure that that was accurately reflected in the
12 prehearing order.

13 COMMISSIONER FAY: Okay.

14 MS. CHRISTENSEN: That we weren't party to the
15 stipulation, but we don't object to it.

16 COMMISSIONER FAY: Okay.

17 MR. REHWINKEL: Commissioner Fay, this is
18 Charles Rehwinkel. Just -- just so there's no --
19 and I plan on sending an e-mail to this effect
20 afterwards when -- when parties are allowed to, you
21 know, clean up their -- their positions, but just
22 so there's no confusion on this, what we're trying
23 to convey, because of some missteps in the past, is
24 that we are facilitating or accommodating the
25 Type 2 stipulation between affirmative and

1 stipulating parties.

2 We are also accommodating or facilitating the
3 entry of testimony into the record and exhibits
4 into the record, but we are not part of
5 affirmatively stipulating them in.

6 In essence, we waive all objections to them
7 being part of the record, we would waive our right
8 to brief issues, to cross-examine witnesses, or to
9 appeal on all of these matters that we accommodate.

10 I -- I just feel like it's important because
11 it's been conveyed that there are stipulations
12 occurring. We're not part of them, but we're --
13 we're not standing in the way -- we're facilitating
14 them, if that makes sense.

15 COMMISSIONER FAY: Yeah, it does. I -- I
16 appreciate that. And I think, as -- as you stated
17 at the beginning, you'll make sure there's clarity
18 to what language you want stated in that -- that
19 draft prehearing order -- or I should say that
20 final prehearing order. So, just ensure that --

21 MR. REHWINKEL: Yes, sir. So, I won't speak
22 again on this -- this point. Thank you.

23 COMMISSIONER FAY: No, that's -- that's fine.
24 It's a valid point.

25 MR. REHWINKEL: Thanks.

1 COMMISSIONER FAY: Okay. Moving -- moving
2 on -- let's see. We are at order of -- we were at
3 order of witnesses -- let me go back to where we
4 were.

5 Okay. Section VIII, issues and positions.

6 MR. SCHRADER: Yes, Commissioner. Issues and
7 positions are included in the most-recent draft
8 prehearing order sent to the parties last evening.
9 Staff notes that there are Type 2 stipulations on
10 all issues.

11 COMMISSIONER FAY: Great. Thank you.

12 Similar to 02, if there are any specific
13 issues that we need addressed here by any of the
14 other parties, this would be the opportunity to --
15 to do so.

16 Great. With that, we can move on to
17 Section IX, exhibit list.

18 MR. SCHRADER: Yes, Commissioner. Staff has
19 prepared and circulated to the parties a draft
20 comprehensive exhibit list that includes all
21 prefiled exhibits. Staff will check with the
22 parties prior to the hearing to determine if there
23 are any objections to the comprehensive exhibit
24 list.

25 COMMISSIONER FAY: Great. Thank you.

1 Section X, proposed stipulations.

2 MR. SCHRADER: Staff notes, as said, there's a
3 Type 2 stipulation that have been reached on all
4 issues in this docket.

5 COMMISSIONER FAY: Great. Thank you.

6 Section XI, pending motions.

7 MR. SCHRADER: No pending motions at this
8 time, Commissioner.

9 COMMISSIONER FAY: Same with Section XII,
10 pending confidentiality motions?

11 MR. SCHRADER: Yes, Commissioner.

12 COMMISSIONER FAY: Section XIII, post-hearing
13 procedures.

14 MR. SCHRADER: If parties agree to waive
15 briefs, the Commission may make a bench decision
16 for this portion of the docket. If there are any
17 issues to be briefed, staff recommends post-hearing
18 briefs be no longer than 40 pages.

19 COMMISSIONER FAY: Great. Any issues with the
20 parties on that?

21 All right. With that, we'll move on to
22 Section XIV, rulings.

23 MR. SCHRADER: Yes, Commissioner. Staff
24 recommends that the prehearing officer make a
25 ruling that opening statements, if any, should not

1 exceed five minutes per party, unless any party
2 chooses to waive its opening statement.

3 Should cross-examination exhibits be needed,
4 all cross-examination exhibits that are -- a party
5 intends to use at the hearing must be provided to
6 the Commission clerk by close of business on
7 October 27th, 2020, in order to be processed and
8 made available digitally.

9 Attachment A to the draft prehearing order
10 explains the process for parties to follow when
11 providing cross-examination exhibits to the clerk.
12 Exhibits that are prefiled and designated as cross-
13 examination or impeachment exhibits shall not be
14 viewed by opposing witnesses or opposing counsel or
15 otherwise have their contents or identity
16 communicated to such witnesses or counsel.

17 COMMISSIONER FAY: Great. Thank you.

18 And all parties in agreement to this?

19 Great. With that, any other matters to
20 address in this prehearing conference,
21 Mr. Schrader?

22 MR. SCHRADER: There are none at this time.

23 COMMISSIONER FAY: Great. Thank you.

24 With that, we'll adjourn the 03 docket, if the
25 parties don't have any anything else.

1 Great. Thank you.

2 (Docket concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, ANDREA KOMARIDIS WRAY, 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 6th day of November, 2020.



ANDREA KOMARIDIS WRAY
NOTARY PUBLIC
COMMISSION #GG365545
EXPIRES February 9, 2021