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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20220004-GU

In re: Natural gas conservation
cost recovery.

_____ /

PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONERS
PARTICIPATING: COMMISSIONER MIKE LA ROSA

DATE: Wednesday, November 2, 2022

TIME: Commenced: 9:30 a.m.
Concluded: 11:49 a.m.

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

REPORTED BY: DEBRA R. KRICK
Court Reporter

PREMIER REPORTING
112 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; CHRISTOPHER T. WRIGHT, ESQUIRE, 700 Universe
5 Boulevard, Juno Beach, Florida 33408-2863; appearing on
6 behalf of Florida City Gas (FCG).

7 BETH KEATING, ESQUIRE, Gunster Law Firm, 215
8 South Monroe Street, Suite 601, Tallahassee, Florida
9 32301; appearing on behalf of Florida Public Utilities
10 Company, Florida Public Utilities Company-Fort Meade,
11 Florida Public Utilities Company-Indiantown Division,
12 Florida Division of Chesapeake Utilities Corporation
13 (CUC) (jointly, consolidated companies), and on behalf
14 of Sebring Gas System (SEBRING).

15 J. JEFFREY WAHLEN, MALCOLM N. MEANS and
16 VIRGINIA PONDER, ESQUIRES, Ausley Law Firm, Post Office
17 Box 391, Tallahassee, Florida 32302; appearing on behalf
18 of Tampa Electric Company (TECO).

19 RICHARD GENTRY, PUBLIC COUNSEL; CHARLES J.
20 REHWINKEL, DEPUTY PUBLIC COUNSEL, OFFICE OF PUBLIC
21 COUNSEL, c/o The Florida Legislature, 111 West Madison
22 Street, Room 812, Tallahassee, Florida 32399-1400;
23 appearing on behalf of the Citizens of the State of
24 Florida (OPC).

25

1 APPEARANCES CONTINUED:

2 MATTHEW JONES, ESQUIRE, FPSC General Counsel's
3 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida
4 32399-0850, appearing on behalf of the Florida Public
5 Service Commission (Staff).

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

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

2 COMMISSIONER LA ROSA: Let's move to the 04
3 docket. I think that's back at you, Mr. Jones.
4 You are recognized for any preliminary matters that
5 need to be addressed before the draft prehearing
6 order.

7 MR. JONES: Yes, sir.

8 We have Type 2 stipulations that are pending
9 in this docket. Those have not been finalized as
10 of today.

11 And additionally, staff is awaiting
12 confirmation from all parties that they are
13 amenable to excusing witnesses.

14 COMMISSIONER LA ROSA: Excellent.

15 Does any other parties have any other
16 preliminary matters?

17 Seeing none, similar, as I was just done in
18 the last two, I will run through these pretty
19 quickly. So please jump you have up if you have
20 got something and I will certainly recognize you.

21 Section I, Case Background. Seeing none.

22 Section II, Conduct in Proceedings.

23 Section III, Jurisdiction.

24 Section IV, Procedure for Handling

25 Confidential Information.

1 Section V, Prefiled Testimony and Exhibits and
2 Witnesses.

3 MR. JONES: Staff suggests that for any
4 witness who is not excused that the summary of
5 their testimony be no longer than three minutes.

6 COMMISSIONER LA ROSA: Sounds good. Parties,
7 are we all in agreement? I don't see any
8 objections.

9 Let's move on to the order of witnesses.

10 MR. JONES: If stipulation of issues and
11 witness testimony can be reached, staff will
12 confirm with each Commissioner whether such witness
13 can be excused. If no Commissioner has a question
14 of a stipulated witness, the witness may be excused
15 from the hearing and his or her testimony and
16 exhibits entered into the record as though read.

17 COMMISSIONER LA ROSA: Okay. Excellent.

18 Section VII, Basic Positions. Do the parties
19 have any changes to their basic positions? Okay.
20 If there are any please do so in writing before the
21 close of business tomorrow.

22 Section VIII, Issues and Positions. Parties,
23 are there any related matters that need to be
24 discussed?

25 MR. JONES: For that, staff will note that for

1 issues in which a party has taken no position at
2 this time, if a party does not take a position on
3 these issues, per the OEP their position will be
4 changed to no position in the prehearing order.

5 And additionally, per the OEP, if a party
6 fails to take a position on an issue by the time of
7 the prehearing conference, the party waives its
8 opportunity to conduct cross-examination on the
9 issue, as well as file a post-hearing brief on the
10 issue.

11 COMMISSIONER LA ROSA: Okay. Excellent.

12 Let's move on, then, to the exhibit list.

13 MR. JONES: Staff will note that we have
14 prepared and circulated a comprehensive exhibit
15 list that includes all prefiled exhibits, and also
16 includes those exhibits staff wishes to include in
17 the record. Staff will check with the parties
18 prior to the hearing to determine if there are any
19 objections to the comprehensive exhibit list.

20 COMMISSIONER LA ROSA: Excellent.

21 Proposed Stipulations in Section X.

22 MR. JONES: Staff notes that Type 2
23 stipulations are pending in this docket, but those
24 have not been finalized as of today.

25 MS. CHRISTENSEN: Commissioner.

1 COMMISSIONER LA ROSA: Yes, I am sorry, you
2 are recognized.

3 MS. CHRISTENSEN: Thank you, Commissioner.

4 I just noted that in the footnote regarding
5 the Type 2 stipulation, it has part of the language
6 that we normally have related to Type 2
7 stipulations. There is some additional language
8 that we have included regarding representation of
9 OPC's position on Type 2 stipulations that we can
10 provide to staff, or confirm with staff, that gets
11 included in the order. Otherwise, we are in a
12 position to facilitate Type 2 stipulations.

13 COMMISSIONER LA ROSA: Okay. Staff, are you
14 okay with that?

15 MR. JONES: Yes. Staff is happy to work with
16 OPC on the issue.

17 COMMISSIONER LA ROSA: Excellent.

18 All right. Well, then let's move on to
19 pending motions.

20 MR. JONES: There is no pending motions at
21 this time.

22 COMMISSIONER LA ROSA: Okay. Pending
23 confidential -- confidentiality motions.

24 MR. JONES: There are no pending
25 confidentiality motions at this time.

1 COMMISSIONER LA ROSA: Let's talk about the
2 post-hearing procedures.

3 MR. JONES: If stipulations are reached on all
4 issues, a bench decision may be possible in this
5 docket. However, if there is no bench decision,
6 staff recommends post-hearing briefs be no longer
7 than 40 pages.

8 COMMISSIONER LA ROSA: Okay. That sounds
9 fair. All parties in agreement? Seeing no
10 objections.

11 Let's talk about rulings.

12 MR. JONES: Staff recommends that the
13 Prehearing Officer make a ruling that opening
14 statements, if any, should not exceed three minutes
15 per party unless any party chooses to waive its
16 opening statements.

17 COMMISSIONER LA ROSA: All parties in
18 agreement? Sounds right.

19 Any other matters that need to be addressed in
20 the prehearing conference?

21 MR. JONES: No, sir.

22 COMMISSIONER LA ROSA: Okay. Seeing no other
23 matters, this concludes the prehearing for the 04
24 docket.

25 (Proceedings 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 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 15th day of November, 2022.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #HH31926
EXPIRES AUGUST 13, 2024