

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Rate Increase by Florida  
City Gas

DOCKET NO. 20220069-GU  
FILED: November 18, 2022

**CITIZENS' MOTION TO ALLOW OPC WITNESS HELMUTH W. SCHULTZ, III, TO  
TESTIFY VIA VIDEO-TELECONFERENCING (GOTO MEETING)**

The Citizens of the State of Florida, through the Office of Public Counsel (OPC or Citizens), file this motion to allow OPC Witness Helmuth W. Schultz, III to testify via video-conferencing (GoTo Meeting) at the December 12-16, 2022 hearing. In support, the Citizens state as follows:

- 1) This matter is currently set for hearing on December 12-16, 2022.
- 2) OPC is planning on calling two experts witnesses to testify on OPC's behalf, David Garrett and Helmuth W. Schultz, III.
- 3) The testimony of both witnesses is essential to the Citizens' case.
- 4) Mr. Schultz, who resides in the State of Michigan, recently had to schedule shoulder surgery for December 5, 2022.
- 5) Mr. Schultz's physician has advised Mr. Schultz against postponing this surgery beyond December 5, 2022, in order to avoid the risk of irreparable damage to Mr. Schultz's rotator cuff. (See OPC Exhibit A)
- 6) For several weeks following the surgery, Mr. Schultz will need to have his arm immobilized in a brace; therefore, travel to Florida for the hearing will be far too burdensome.
- 7) OPC requests that Mr. Schultz be allowed to testify via video-conferencing (GoTo Meeting) at the hearing should counsel for FCG, Staff, or Commissioners have questions for Mr. Schultz.

- 8) Mr. Garrett will still attend the hearing in person unless excused in advance by the Commission.
- 9) OPC has contacted counsel for Florida City Gas (FCG), the Federal Executive Agencies (FEA), the Florida Industrial Power Users Group (FIPUG), and the Sugar Cane Growers Cooperative of Florida (SCGC), and none of the parties object to this motion.

WHEREFORE, the Office of Public Counsel, on behalf of the customers of FCG, respectfully requests the granting of this Motion to Allow OPC Witness Helmuth W. Schultz, III, to Testify Via Video-Teleconferencing (GoTo Meeting) at the December 12-16, 2022 hearing in this matter.

Respectfully Submitted,

Richard Gentry  
Public Counsel

/s/ Mary A. Wessling  
Mary A. Wessling  
Associate Public Counsel  
Florida Bar No. 0093590

Office of Public Counsel  
c/o The Florida Legislature  
111 West Madison Street, Rm. 812  
Tallahassee, FL 32399-1400  
(850) 488-9330

Attorney for the Citizens  
of the State of Florida

**CERTIFICATE OF SERVICE**  
**DOCKET NO. 20220069-GU**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 18th day of November, 2022, to the following:

T. Jernigan/H. Buchanan/E. Payton/R.  
Franjul/M. Duffy  
Federal Executive Agencies  
139 Barnes Drive, Suite 1  
Tyndall AFB FL 32403  
thomas.jernigan.3@us.af.mil  
holly.buchanan.1@us.af.mil  
ebony.payton.ctr@us.af.mil  
rafael.franjul@us.af.mil  
ULFSC.Tyndall@us.af.mil  
marcus.duffy.3@us.af.mil

Beth Keating  
Gunster Law Firm  
215 South Monroe St., Suite 601  
Tallahassee FL 32301  
bkeating@gunster.com

Matthew Jones/Walter Trierweiler  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399  
wtrierwe@psc.state.fl.us  
majones@psc.state.fl.us

Christopher T. Wright/Joel Baker  
Florida Power & Light Company  
700 Universe Boulevard  
Juno Beach FL 33408  
christopher.wright@fpl.com  
joel.baker@fpl.com

Jon C. Moyle, Jr./Karen A. Putnal  
Florida Industrial Power Users Group  
c/o Moyle Law Firm  
118 North Gadsden Street  
Tallahassee FL 32301  
jmoyle@moylelaw.com  
kputnal@moylelaw.com  
mqualls@moylelaw.com

Robert Scheffel Wright/John T. LaVia, III  
Gardner Law Firm  
1300 Thomaswood Drive  
Tallahassee FL 32308  
(850) 385-0070  
(850) 385-5416  
jlavia@gbwlegal.com  
schef@gbwlegal.com

**/s/ Mary A. Wessling**  
Mary A. Wessling  
Associate Public Counsel  
Wessling.Mary@leg.state.fl.us

# Exhibit A



11/10/22

To whom it may concern,

This is to certify that Helmuth Schultz, DOB [REDACTED] does have a surgery scheduled that is medically necessary that the procedure is performed sooner than later. The scheduled date of the surgery is December 5<sup>th</sup>, 2022. To avoid the risk of his rotator cuff becoming irreparable, which the result would be a shoulder replacement. I do not recommend postponing this any later.

Regards,

Eric Mancini M.D.

A handwritten signature in black ink, appearing to read "EM", is written over a faint, light-colored circular stamp or watermark.

11/10/2022 9:41 AM (EST)