

# I. Meeting Packet



**State of Florida**  
**Public Service Commission**  
**INTERNAL AFFAIRS AGENDA**

Tuesday – March 16, 2021

9:30 AM

Room 148 – Betty Easley Conference Center

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1. Legislative Updates
2. General Counsel's Report
3. Executive Director's Report
4. Other Matters

BB/aml

OUTSIDE PERSONS WISHING TO ADDRESS THE COMMISSION ON  
ANY OF THE AGENDAED ITEMS SHOULD CONTACT THE  
OFFICE OF THE EXECUTIVE DIRECTOR AT (850) 413-6463.

# III. Supplemental Materials for Internal Affairs

Note: The records reflect that there were no supplemental materials provided to the Commission during this Internal Affairs meeting.

# IV. Transcript

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

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PROCEEDINGS: INTERNAL AFFAIRS  
  
COMMISSIONERS  
PARTICIPATING: COMMISSIONER ART GRAHAM  
COMMISSIONER ANDREW GILES FAY  
COMMISSIONER MIKE LA ROSA  
  
DATE: Tuesday, March 16, 2021  
  
TIME: Commenced: 9:30 a.m.  
Concluded: 9:40 a.m.  
  
PLACE: Betty Easley Conference Center  
  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida  
  
REPORTED BY: DEBRA R. KRICK  
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 P R O C E E D I N G S

2 COMMISSIONER GRAHAM: All right. Let the  
3 record show, it is Tuesday March 16th, and this is  
4 the agenda Internal Affairs meeting, and we will  
5 call this meeting to order.

6 The first thing on our agenda is Legislative  
7 Affairs.

8 Adam, I think you are up.

9 MR. POTTS: Yes, sir. Good morning,  
10 everybody.

11 So we are in the third week of session. It's  
12 been crazy. I wanted to talk about we -- over the  
13 past week, we've put together an analysis for House  
14 Bill 1567 and Senate Bill 1944, and those had --  
15 those were -- had to do with utility and  
16 communications poles. We turned in the analysis  
17 yesterday, and after great effort from our staff,  
18 and these bills are both up this afternoon. The  
19 Senate Bill is in Regulated Industries, and the  
20 House bill is in Transportation, Infrastructure and  
21 Energy.

22 What the bills do is that they give the  
23 regulation of poles to the PSC. Currently that's  
24 under the FCC right now. And as you can imagine,  
25 there is a significant fiscal attach for that

1           because there is going to have to be staffing and  
2           inspections, and everything that goes along with  
3           that.

4           So I just wanted to kick it off with that.  
5           That's kind of been the focus for legislative  
6           affairs really for most of the staff this week, and  
7           I really wanted to, you know, let y'all -- if you  
8           have any questions or concerns.

9           I think you are on mute, Chair.

10           COMMISSIONER GRAHAM: Commissioner Fay.

11           COMMISSIONER FAY: Mr. Chairman, I understood  
12           what you said even though you were on mute.

13           So Adam, just a quick question. I read the  
14           analysis yesterday after you guys submitted it to  
15           the Legislature, and there is a provision at the  
16           end there that talks about the rule-making that the  
17           Legislature would require the Commission to put  
18           forward, and it states by, I think it is October  
19           1st of 2021 the Commission shall adopt, and I just  
20           want to make sure whatever the Legislature directs  
21           us to do that we are able to do that consistent  
22           with the notice requirements in 120.

23           So I didn't know if legal or anybody on our  
24           team could say -- I think in the storm protection  
25           we had language that said we just initiated that

1 rule-making for October 1, but this might be a  
2 different setup.

3 MR. HETRICK: Mr. Chairman.

4 COMMISSIONER GRAHAM: Yes, sir.

5 MR. HETRICK: I can respond to that, if you  
6 would like.

7 COMMISSIONER GRAHAM: Yes, please. Yes.

8 MR. HETRICK: So you are correct, Commissioner  
9 Fay, there is a provision in the bill that requires  
10 us to adopt rules by October 1st, I think. And  
11 what we would do is work to change that, just as we  
12 did in the storm protection rule bill.

13 Currently, in Chapter 120 there are certain  
14 notice requirements that would be very difficult to  
15 meet with this kind of rule-making. More than,  
16 that, the complexity and the pervasiveness of this  
17 rule-making, the amount of workshops that are going  
18 to be -- need to be held, will require us to go  
19 forward in the legislation and seek an amendment  
20 that makes that provision a little bit more  
21 reasonable.

22 COMMISSIONER FAY: Okay. Great. Thank you.  
23 That answered my question.

24 I know in storm protection plan it worked  
25 fairly well that we were able to initiate it, and



1 even if we have a rule challenge, we were able to  
2 get the rules done in a reasonable time, so that  
3 answered my question.

4 That's all I had, Mr. Chairman. Thank you.

5 COMMISSIONER GRAHAM: Thank you.

6 Anyone else?

7 Braulio?

8 MR. BAEZ: Thank you, Mr. Chairman.

9 And I just wanted to add that all of that has  
10 been pointed out as part of the bill analysis, so  
11 we expect to have those conversations in due  
12 course.

13 COMMISSIONER GRAHAM: Okay. Any other  
14 questions of pole attachment?

15 Adam, bring us some other things. I know this  
16 is not the only bill you got in front of you.

17 MR. POTTS: Yes.

18 Also this afternoon, in Regulated Industries,  
19 there is Senate Bill 896, which is renewable  
20 natural gas. This bill has an amendment that we  
21 had worked on that's going to make it -- make it  
22 fit and work the way that it was intended to, so  
23 that's something that we've worked on. The House  
24 bill will get amended in its next stop as well.

25 There was Senate Bill 964 and House Bill 1051,

1           which were environmental compliance costs. And  
2           over the past two weeks, we got both of those bills  
3           amended to work as intended as well. So we've been  
4           working on those things to get these bills cleaned  
5           up.

6                     Also, this afternoon in Tourism,  
7           Infrastructure and Energy, House Bill 1311, which  
8           has to do with public meetings and confidentiality,  
9           is going to be up in that committee as well, so we  
10          have been talking to members about that bill. And  
11          that's really where we stand right now.

12                    You are still on mute, Chair.

13                    COMMISSIONER GRAHAM: Sorry about that.

14                    Any other questions of Adam or staff on  
15          legislative affairs?

16                    Seeing none, I guess we will go on to Item No.  
17          2, General Counsel's Report.

18                    MR. HETRICK: No report, Mr. Chairman.

19                    COMMISSIONER GRAHAM: I love it when you say  
20          that, Keith.

21                    Okay. Executive Director Report.

22                    MR. BAEZ: Thank you, Chairman. And I forgot  
23          to say top of the morning to you.

24                    I only wanted to add my thanks to all the  
25          staff. You heard Adam's report and all the work

1           that the staff -- the technical staff and the  
2           administrative staff have been doing in support of  
3           the legislative -- our legislative function, I just  
4           wanted to give a further shout-out to them for all  
5           their hard work. It has been a breakneck pace at  
6           times, and they have performed marvelously. So as  
7           you heard from Adam that we seem to be in good  
8           position with -- with the bills that have been  
9           filed thus far that affect the agency.

10                   As for budget items, nothing to speak of  
11           there. And that no news is good news at this  
12           point.

13                   That pretty much sums it up. It's been a  
14           legislatively, a week heavy with the Legislature  
15           and so thank you.

16                   COMMISSIONER GRAHAM: Thank you, Braulio.

17                   And I have to -- I have to admit things are  
18           just so different now. I remember when session  
19           started, we always were afraid that there was  
20           somebody taking shots at the agency. And now, you  
21           know, it's just one of those things that affect the  
22           agency but it's not directed at us, and it's such a  
23           much better feeling.

24                   MR. BAEZ: Agreed. We get to play our role  
25           as -- as technical advisers, and I think that's --

1 given a choice, that's where we want to be, so we  
2 are very thankful. We're fortunate.

3 COMMISSIONER GRAHAM: So the last thing on the  
4 agenda is other. Any other comments?

5 I have to also agree that this third-party  
6 report is very thorough. It looks like someone put  
7 in a lot, a lot of work. I think it's going to be  
8 a interesting thing to watch as it goes through the  
9 process.

10 Does anybody else have anything else to add  
11 for the good of the order?

12 I know tomorrow is St. Patty's Day, so if you  
13 guys get your apparel out, I think we will all  
14 enjoy ourselves tomorrow.

15 If there is anything or nothing else, then we  
16 are adjourned. Everybody be safe, travel. Talk  
17 you to later.

18 (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 29th day of March, 2021.



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