

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 130004-GU

NATURAL GAS CONSERVATION  
COST RECOVERY.

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PROCEEDINGS: PREHEARING

COMMISSIONERS  
PARTICIPATING: COMMISSIONER EDUARDO E. BALBIS  
PREHEARING OFFICER

DATE: Thursday, October 17, 2013

TIME: Commenced at 9:51 a.m.  
Concluded at 9:55 a.m.

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

REPORTED BY: JANE FAUROT, RPR  
Official FPSC Reporter  
(850) 413-6732

## 1 APPEARANCES:

2 BETH KEATING, ESQUIRE, Gunster Law Firm,  
3 215 South Monroe Street, Suite 601, Tallahassee,  
4 Florida 32301-1839, appearing on behalf of  
5 Chesapeake, Florida Public Utilities Company,  
6 FPUC-Indiantown and Florida City Gas.

7 ANSLEY WATSON, JR., ESQUIRE, Macfarlane Law  
8 Firm, Post Office Box 1531, Tampa, Florida  
9 33601-1531, appearing on behalf of Peoples Gas  
10 System.

11 NORMAN H. HORTON, JR., ESQUIRE, Messer Law  
12 Firm, Post Office Box 15579, Tallahassee, Florida  
13 32317, appearing on behalf of Sebring Gas System,  
14 Inc.

15 CHARLES REHWINKEL, and PATRICIA A.  
16 CHRISTENSEN, ESQUIRES, Office of Public Counsel, c/o  
17 The Florida Legislature, 111 W. Madison Street, Rm.  
18 812, Tallahassee, Florida, appearing on behalf of the  
19 Citizens of Florida.

20 KELLY CORBARI, ESQUIRE, FPSC General  
21 Counsel's Office, 2540 Shumard Oak Boulevard,  
22 Tallahassee, Florida 32399-0850, appearing on behalf  
23 of the Florida Public Service Commission Staff.  
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APPEARANCES (Continued):

MARY ANNE HELTON, DEPUTY GENERAL COUNSEL,  
Florida Public Service Commission, 2540 Shumard Oak  
Boulevard, Tallahassee, Florida 32399-0850, Advisor  
to the Florida Public Service Commission.

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

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2           **COMMISSIONER BALBIS:** And we will proceed to  
3 the 04 docket next.

4           **MS. CORBARI:** Staff would note for the record  
5 that St. Joe Natural Gas Company and Peoples Gas System  
6 have requested and received permission to be excused  
7 from attending the prehearing conference today in this  
8 docket. Staff is not aware of any other preliminary  
9 matters at this time and none are expected.

10           **COMMISSIONER BALBIS:** Okay, thank you. And,  
11 again, we're proceeding with Docket Number 130004, the  
12 natural gas conservation clause. And I believe staff  
13 just handled the preliminary matters, so now we will,  
14 again, go through the draft prehearing order starting  
15 with Section I, case background. Any questions or  
16 comments?

17           Section II, conduct of proceedings.

18           Section III, jurisdiction.

19           Section IV, procedure for handling  
20 confidential information.

21           Section V, prefiled testimony and exhibits;  
22 witnesses.

23           Section VI, order of witnesses.

24           **MS. CORBARI:** Staff would like to note that on  
25 Page 4 of the draft prehearing order it states that the

1 witnesses may be excused if no Commissioner seeks  
2 cross-examination. At this time it appears that all the  
3 witnesses have been stipulated and may be excused.  
4 Staff is in the process of confirming this with each  
5 Commissioner and will contact the parties as soon as  
6 possible.

7 If excused, the testimony of the witnesses  
8 will be identified as shown in Section IX of the  
9 prehearing order and admitted into the record.

10 **COMMISSIONER BALBIS:** Okay, thank you.

11 Any other questions or comments on the order  
12 of witnesses?

13 Hearing none, Section VII, basic positions.

14 **MR. REHWINKEL:** Commissioner, Public Counsel  
15 will provide the same position that we provided in the  
16 02 and 03 dockets for 04, and I'll provide that to  
17 staff.

18 **COMMISSIONER BALBIS:** Okay, thank you.

19 Any other comments on Section VII?

20 Hearing none, Section VIII, issues and  
21 positions.

22 **MS. CORBARI:** Staff would note that the  
23 proposed positions for all the issues have either been  
24 accepted or not objected to by all the parties.

25 **COMMISSIONER BALBIS:** Okay. Any other

1 questions or comments on issues and positions?

2 Hearing none, Section IX, exhibit list.

3 **MS. CORBARI:** Staff has prepared a  
4 Comprehensive Exhibit List for the purpose of numbering  
5 and identifying the exhibits at the hearing. Staff will  
6 be providing the draft exhibit list to the parties  
7 today.

8 **COMMISSIONER BALBIS:** Okay, thank you.

9 Section X, proposed stipulations.

10 **MS. CORBARI:** Staff and the parties are  
11 proposing stipulation of all the issues as reflected in  
12 the draft prehearing order. It's staff's understanding  
13 that OPC does not object to, but has not joined in the  
14 proposed stipulations.

15 **COMMISSIONER BALBIS:** And, Mr. Rehwinkel, you  
16 confirm that?

17 **MR. REHWINKEL:** Yes, Commissioner.

18 **COMMISSIONER BALBIS:** Okay, thank you.

19 Section XI, pending motions.

20 **MS. CORBARI:** There's no pending motions.

21 **COMMISSIONER BALBIS:** Section XII, pending  
22 confidentiality motions.

23 **MS. CORBARI:** There are no pending  
24 confidentiality motions.

25 **COMMISSIONER BALBIS:** Okay. Any questions or

1 comments on Section XIII, post-hearing procedures?

2 Section XIV, rulings. To be consistent with  
3 the other dockets, I'm inclined to limit opening  
4 statements to five minutes. Of course, the parties can  
5 waive them, but if you have any objection to the  
6 five-minute limit, now would be the time.

7 Okay. And then, staff, are there any other  
8 rulings?

9 **MS. CORBARI:** Finally, Commissioner, staff  
10 would just note that St. Joe Natural Gas Company and  
11 Peoples Gas System have been excused from the prehearing  
12 and the hearing in this docket.

13 **COMMISSIONER BALBIS:** Okay, thank you. And  
14 are there any other matters to discuss with this docket?

15 **MS. CORBARI:** No other matters at this time.

16 **COMMISSIONER BALBIS:** Okay. Hearing none,  
17 then we will go ahead and adjourn the 04 docket and  
18 proceed to the 07 docket. Thank you.

19 (The prehearing concluded at 9:55 a.m.)  
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1 STATE OF FLORIDA )

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON )

4 I, JANE FAUROT, RPR, Chief, Hearing  
5 Reporter Services Section, FPSC Division of  
6 Commission Clerk, do hereby certify that the  
7 foregoing proceeding was heard at the time and place  
8 herein stated.

9 IT IS FURTHER CERTIFIED that I  
10 stenographically reported the said proceedings; that  
11 the same has been transcribed under my direct  
12 supervision; and that this transcript constitutes a  
13 true transcription of my notes of said proceedings.

14 I FURTHER CERTIFY that I am not a relative,  
15 employee, attorney or counsel of any of the parties,  
16 nor am I a relative or employee of any of the  
17 parties' attorney or counsel connected with the  
18 action, nor am I financially interested in the  
19 action.

20 DATED THIS 22nd day of October, 2013.

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22 \_\_\_\_\_  
23 JANE FAUROT, RPR  
24 Official FPSC Hearings Reporter  
25 (850) 413-6732