

STATE OF FLORIDA

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
LISA POLAK EDGAR
RONALD A. BRISÉ
JULIE I. BROWN
JIMMY PATRONIS



CAPITAL CIRCLE OFFICE CENTER
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FL 32399-0850

Public Service Commission

March 27, 2015

RECEIVED FPSC
15 MAR 27 PM 3:01
COMMISSION
CLERK

Jon C. Moyle, Esquire
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee FL 32301

Re: Florida Industrial Power Users Group vs. Art Graham, etc., et al.
Supreme Court Case No. SC15-274
FPSC Docket Nos. 140001-EI and 150001-EI

Dear Mr. Moyle:

Enclosed is the Index to the record on appeal regarding the above-referenced dockets. Please review this index for content of the record.

If you have any questions regarding this index, please feel free to contact me. The record will be filed in the Florida Supreme Court on or before June 1, 2015.

Sincerely,

A handwritten signature in cursive script that reads "Carlotta S. Stauffer".

Carlotta S. Stauffer
Commission Clerk

CSS: mhm
Enclosure

cc: Karen A. Putnal, Esquire
Samantha Cibula, Attorney Supervisor
Adria Harper, Senior Attorney
Beth Keating, Esquire
James D. Beasley, Esquire
J. Jeffrey Wahlen, Esquire
Ashley M. Daniels, Esquire
John T. Butler, Assistant General Counsel
Kenneth Hoffman
Steven R. Griffin, Esquire

Page 2

March 27, 2015 Letter

Jeffrey A. Stone, Esquire
Russell A. Badders, Esquire
J.R. Kelly, Public Counsel
Charles Rehwinkel, Deputy Public Counsel
John J. Truitt, Associate Public Counsel
Patricia A. Christensen, Associate Public Counsel
Erik L. Saylor, Esquire
Joseph A. McGlothlin, Associate Public Counsel
Cheryl Martin
James W. Brew, Esquire
Owen J. Kopon, Esquire
Laura A. Wynn, Esquire
F. Alvin Taylor, Esquire
Robert Scheffel Wright, Esquire
John T. LaVia, III, Esquire
Paula K. Brown
Robert L. McGee, Jr.
John R. Burnett, Associate General Counsel
Dianne M. Triplett, Associate General Counsel
Matthew R. Bernier, Senior Counsel
Cameron L. Cooper, Esquire
Raoul G. Cantero, Esquire
Neal McAliley, Esquire
Jesse Green, Esquire

I N D E X (B Y D A T E)

Docket Numbers 140001-EI and 150001-EI

Volume 1

Date		Pages
	Progress Docket.....	1-93
01/02/14	Order PSC-14-0001-PCO-EI establishing 2014 docket number <i>[Clerk Note: Docket 130001-EI will be closed on issuance of this order.]</i>	94-95
01/02/14	Florida Industrial Power Users Group's (FIPUG) notice of intent to retain party status.....	96-97
01/03/14	Florida Retail Federation's (FRF) notice reaffirming party status	98-100
01/06/14	Florida Power & Light Company's (FPL) notice of intent to retain party status.....	101-103
01/09/14	Office of Public Counsel's (OPC) notice of reaffirming party status, filed on behalf of the Citizens of the State of Florida (Citizens)	104-105
02/04/14	Order PSC-14-0084-PCO-EI establishing procedure.....	106-121
03/28/14	FPL's confidential information regarding fuel hedging activities and market comparisons contained in Exhibit GJY-2 to testimony of Gerard J. Yupp ATTACHMENT THREE <i>[Clerk Note: This confidential document, assigned document number 01384-14, has been transmitted to the upper tribunal under separate cover.]</i>	
04/01/14	Letter dated March 24, 2014, from Lynn Deamer, Florida Public Service Commission (Commission), to Ken Hoffman, FPL, advising the Commission will conduct an audit (Audit Control Number 14-083-4-1).....	122

06/25/14 FPL's petition for approval to recover gas reserve project costs through the fuel clause; direct testimony of Sam Forrest and redacted Exhibits SF-1 through SF-9; direct testimony of Dr. Tim Taylor and redacted Exhibits TT-1 through TT-10; and direct testimony of Kim Ousdahl and Exhibits KO-1 through KO-7 ATTACHMENT THREE
[Clerk Note: Document not available; on July 18, 2014, FPL advised Commission that the document contained confidential information and should not be made available to the public; document was resubmitted on July 18, 2014.]

07/18/14 Letter dated July 18, 2014, from Scott A. Goorland, FPL, with attached replacement version of petition for approval of gas reserve project costs through the fuel clause and supporting testimony and exhibits of Sam Forrest, Dr. Tim Taylor, and Kim Ousdahl, filed on June 25, 2014 [See Volume 2 for continued pages] 123-200

Volume 2

07/18/14 [Continuation of] Letter dated July 18, 2014, from Scott A. Goorland, FPL, with attached replacement version of petition for approval of gas reserve project costs through the fuel clause and supporting testimony and exhibits of Sam Forrest, Dr. Tim Taylor, and Kim Ousdahl, filed on June 25, 2014..... 201-334

07/25/14 FPL's petition for approval of fuel cost recovery and capacity cost recovery actual/estimated true-ups for the period January 2014 through December 2014 and 2015 risk management plan; testimony of Terry J. Keith and Exhibits TJK-3 and TJK-4; and Appendix III (Exhibit GJY-3) to redacted 2015 risk management plan [See Volume 3 for continued pages] 335-400

Volume 3

07/25/14 [Continuation of] FPL's petition for approval of fuel cost recovery and capacity cost recovery actual/estimated true-ups for the period January 2014 through December 2014 and 2015 risk management plan; testimony of Terry J. Keith and Exhibits TJK-3 and TJK-4; and Appendix III (Exhibit GJY-3) to redacted 2015 risk management plan 401-413

07/25/14 FPL's **confidential** Exhibit A to request for confidential classification, certain information on 2015 risk management plan (hedging plan), which is Appendix III (Exhibit GJY-3) to the 2014 actual/estimated true-up petition..... ATTACHMENT THREE
[Clerk Note: This confidential document, assigned document number 03997-14, has been transmitted to the upper tribunal under separate cover.]

08/01/14	FPL and OPC's joint motion for approval of stipulation for schedule to decide on gas reserve project issues and deferral of St. Lucie Unit 2 extended refueling outage issue	414-420
08/13/14	FPL's confidential information contained in the fuel hedging activity report, which will be adopted as Exhibit GJY-4 in the August 22, 2014, filing of the testimony of witness Gerry J. Yupp ATTACHMENT THREE <i>[Clerk Note: This confidential document, assigned document number 04374-14, has been transmitted to the upper tribunal under separate cover.]</i>	
8/13/14	FPL's redacted version of information contained in the fuel hedging activity report, which will be adopted as Exhibit GJY-4 in the August 22, 2014, filing of the testimony of witness Gerry J. Yupp.....	421-429
08/22/14	Order PSC-14-0439-PCO-EI establishing procedure for FPL's deferred issues	430-432
08/22/14	FPL's petition for approval of fuel cost recovery and capacity cost recovery factors for January through December 2015; testimony of Gerard J. Yupp and Exhibit GJY-5; and testimony of Don Grissette; testimony of Terry J. Keith and Exhibits TJK-5 through TJK-9 [See Volume 4 for continued pages].....	433-600

Volume 4

08/22/14	[Continuation of] FPL's petition for approval of fuel cost recovery and capacity cost recovery factors for January through December 2015; testimony of Gerard J. Yupp and Exhibit GJY-5; and testimony of Don Grissette; testimony of Terry J. Keith and Exhibits TJK-5 through TJK-9	601-674
08/22/14	OPC's motion to dismiss FPL's June 25, 2014, petition for lack of subject matter jurisdiction	675-689
08/22/14	OPC's request for oral argument on motion to dismiss FPL's June 25, 2014, petition for lack of subject matter jurisdiction.....	699-702
08/29/14	FPL's response in opposition to OPC's motion to dismiss FPL's June 25, 2014, petition for lack of subject matter jurisdiction.....	703-717
09/08/14	Memorandum from Lynn Deamer, Commission, dated September 8, 2014, to Marguerite McLean, Commission, forwarding confidential document index and Volume 2 (confidential document number 04996-14) of work papers (Audit Control Number 14-083-4-1).....	718-719

09/08/14 Commission's **confidential** working papers, Volume 2 for FPL for hedging activities audit (Audit Control Number 14-083-4-1) ATTACHMENT THREE
[Clerk Note: This confidential document, assigned document number 04996-14, has been transmitted to the upper tribunal under separate cover.]

09/08/14 Commission's audit report for FPL (Audit Control Number 14-083-4-1) 720-725

09/15/14 FPL's revised petition for approval of levelized fuel cost recovery and factors and capacity cost recovery factors for January 2014 through December 2014; revised testimony of Gerard J. Yupp and Exhibit GJY-5; testimony of Don Grissette; and testimony of Terry J. Keith and Exhibits TJK-5 through TJK-9 [See Volume 5 for continued pages] 726-800

Volume 5

09/15/14 [Continuation of] FPL's revised petition for approval of levelized fuel cost recovery and factors and capacity cost recovery factors for January 2014 through December 2014; revised testimony of Gerard J. Yupp and Exhibit GJY-5; testimony of Don Grissette; and testimony of Terry J. Keith and Exhibits TJK-5 through TJK-9 801-967

09/15/14 FPL's withdrawal of request for confidential classification of certain information provided in testimony supporting FPL's petition for prudence determination regarding the acquisition of gas reserves; with attached unredacted version of Exhibit SF-9 968-976
[Clerk Note: SF-9 was originally filed in confidential document number 03290-14, filed June 25, 2014.]

09/26/14 FPL's prehearing statement (October 22, 2014 through October 24, 2014 hearing) 977-990

09/26/14 Commission staff's amended prehearing statement 991-1001

Volume 6

09/26/14 OPC's prehearing statement 1002-1016

09/26/14 FIPUG's prehearing statement 1017-1027

09/26/14 FRF's prehearing statement 1028-1039

10/09/14 Transcript of prehearing conference held October 8, 2014, held in Tallahassee 1040-1067

10/15/14	Prehearing Order PSC-14-0587-PHO-EI	1068-1112
10/27/14	Commission staff's prehearing statement	1113-1117
10/27/14	FPL's prehearing statement	1118-1131
10/27/14	OPC's prehearing statement	1132-1147
10/27/14	FRF's prehearing statement	1148-1152
10/27/14	White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs' (White Springs) prehearing statement	1153-1157
10/27/14	FIPUG's prehearing statement regarding FPL's petition to recover oil and gas exploration and production costs via the fuel clause	1158-1165
10/30/14	Transcript of hearing, Volume 1, pages 1 through 233, held October 22, 2014, in Tallahassee	ATTACHMENT ONE
10/30/14	Transcript of hearing, Volume 2, pages 234 through 438, held October 22, 2014, in Tallahassee	ATTACHMENT ONE
11/04/14	Redacted Hearing Exhibits 1-56, 58-59, 61-64, 66-67 and 69-72 for October 22, 2014, hearing held in Tallahassee	ATTACHMENT TWO
11/04/14	<u>Confidential</u> Hearing Exhibits 57, 60, 65 and 68 for October 22, 2014, hearing held in Tallahassee	ATTACHMENT THREE
11/05/14	Letter dated November 5, 2014, from Scott A. Goorland, FPL, to Carlotta S. Stauffer, Commission, with attached errata sheets for June 25, 2014, testimony of Sam Forrest; and for Exhibits KO-5 and KO-6 to June 25, 2014, testimony of Kim Ousdahl; also includes revised Exhibits KO-5 and KO-6 referenced in the errata sheet	1166-1174
	<i>[Clerk Note: See July 18, 2014, filing for replacement versions of supporting testimony and exhibits of Sam Forrest and Kim Ousdahl, filed on June 25, 2014.]</i>	
11/05/14	FIPUG's motion to strike FPL's request to establish guidelines related to oil and gas exploration and production and accompanying testimony	1175-1180
11/06/14	FIPUG's motion to exclude or strike inadmissible expert testimony pertaining to questions of law [See Volume 7 for continued pages]	1181-1200

Volume 7

11/06/14 [Continuation of] FIPUG’s motion to exclude or strike inadmissible expert testimony pertaining to questions of law 1201-1223

11/07/14 Transcript of prehearing conference held November 6, 2014, in Tallahassee..... 1224-1287

11/10/14 FIPUG’s notice of joinder of OPC's motion to dismiss for lack of subject matter jurisdiction 1288-1290

11/12/14 FPL’s response to FIPUG's [corrected] motion to strike FPL's request to establish guidelines related to oil and gas exploration and production and accompanying testimony 1291-1298

11/13/14 Memorandum dated November 13, 2014, from Florida Public Service Commission’s (Commission) Division of Accounting and Finance and Office of the General Counsel to Commission’s Office of Commission Clerk regarding November 25, 2014, Commission conference, Item No. 2 1299-1306

11/17/14 Order PSC-14-0665-PCO-EI denying FIPUG's corrected motion to strike FPL's request to establish guidelines related to oil and gas exploration and production and accompanying testimony 1307-1310

11/19/14 Order PSC-14-0666-PCO-EI denying FIPUG's motion to exclude or strike inadmissible expert testimony pertaining to questions of law 1311-1314

11/21/14 Prehearing Order PSC-14-0667-PHO-EI 1315-1341

11/24/14 E-mail dated November 21, 2014, from Keino Young, Commission, to Marguerite McLean, Commission, requesting that Exhibit SF-9 (attached to FPL witness Sam Forrest's prefiled direct testimony) be declassified, per FPL's withdrawal of request for confidential classification dated September 15, 2014; with response dated November 24, 2014, from Marguerite McLean, Commission, to Keino Young, Commission, advising that Exhibit SF-9 in confidential document number 03290-14 will be declassified; and advises that FPL has attached a non-confidential version of Exhibit SF-9 to the September 15, 2014, filing..... 1342-1344

- 11/25/14 FPL's **confidential** material provided in the deposition transcript of the November 13, 2014 through November 14, 2014, deposition of Sam Forrest..... ATTACHMENT THREE
[Clerk Note: This confidential document, assigned document number 06503-14, has been transmitted to the upper tribunal under separate cover.]
- 11/25/14 Commission vote sheet, from November 25, 2014, Commission conference, Item No. 2 1345-1346
- 12/02/14 Transcript of hearing, Volume 1, pages 1 through 168, held December 1, 2014, in Tallahassee.....ATTACHMENT ONE
- 12/02/14 Transcript of hearing, Volume 2, pages 169 through 314, held December 1, 2014, in Tallahassee.....ATTACHMENT ONE
- 12/02/14 Transcript of Commission conference, Item No. 2, held November 25, 2014, in Tallahassee 1347-1365
- 12/02/14 Transcript of hearing, Volume 3, pages 315 through 466, held December 1, 2014, in TallahasseeATTACHMENT ONE
- 12/03/14 Transcript of hearing, Volume 4, pages 467 through 535, held December 1, 2014, in TallahasseeATTACHMENT ONE
- 12/03/14 Transcript of hearing, Volume 5, pages 536 through 662, held December 1, 2014, in TallahasseeATTACHMENT ONE
- 12/03/14 Transcript of hearing, Volume 6, pages 663 through 871, held December 2, 2014, in TallahasseeATTACHMENT ONE
- 12/03/14 Transcript of hearing, Volume 7, pages 872 through 994, held December 2, 2014, in TallahasseeATTACHMENT ONE
- 12/03/14 Transcript of hearing, Volume 8, pages 995 through 1101, held December 2, 2014, in Tallahassee.....ATTACHMENT ONE
[Clerk Note: See December 8, 2014, filing for corrected Volume 8 which corrects page 1078.]
- 12/04/14 Memorandum dated December 4, 2014, from Commission's Division of Accounting and Finance, Division of Economics, Division of Engineering, Office of the General Counsel, and Office of Industry Development and Market Analysis to Commission's Office of Commission Clerk regarding the December 18, 2014, Commission conference, Item No. 3 1366-1367

12/05/14	Transcript of Commission conference, Item 1 (consent agenda), held November 25, 2014, in Tallahassee 1368-1380 <i>[Clerk Note: Items 1, 3, 4, 5 and 6 combined.]</i>
12/08/14	Transcript of hearing, corrected Volume 8 (for page 1078), pages 995 through 1101, held December 2, 2014, in Tallahassee ATTACHMENT ONE <i>[Clerk Note: See December 3, 2014, filing for Volume 8.]</i>
12/08/14	Redacted Hearing Exhibits 1-4, 8, 10-28, 31-35, 39-45, 47-51, and 56-69 of December 1-2, 2014, hearing ATTACHMENT TWO
12/08/14	<u>Confidential</u> Hearing Exhibits 5-7, 9, 29-30, 36-38, 46, 52, and 55 of December 1-2, 2014, hearing ATTACHMENT THREE
12/12/14	FPL's post-hearing brief (Issues 1, 2, 3, 6, and 8) [See Volume 8 for continued pages] 1381-1400

Volume 8

12/12/14	[Continuation of] FPL's post-hearing brief (Issues 1, 2, 3, 6, and 8) 1401-1422
12/12/14	Citizens' post-hearing statement of positions and post-hearing brief 1423-1456
12/12/14	FIPUG's post-hearing statement of issues and positions and post-hearing brief 1457-1472
12/12/14	FRF's notice of joinder in OPC's post-hearing statement of positions and post-hearing brief..... 1473-1474
12/17/14	Order PSC-14-0697-PCO-EI denying OPC's motion to dismiss petition for lack of subject matter jurisdiction 1475-1480
12/17/14	Memorandum dated December 17, 2014, from Andrew L. Maurey, Commission, to Carlotta S. Stauffer, Commission, with attached document for docket file..... 1481-1491
12/18/14	Commission vote sheet, from December 18, 2014, Commission conference, Item No. 3 1492-1493
12/19/14	Final Order PSC-14-0701-FOF-EI approving expenditures and true-up amounts for fuel adjustment factors; GPIF targets, ranges, and rewards; and projected expenditures and true-up amounts for capacity cost recovery factors 1494-1519

12/19/14	Transcript of Commission conference, Item No. 3, held December 18, 2014, in Tallahassee.....	1520-1593
01/02/15	Order PSC-15-0001-PCO-EI establishing 2015 docket number..... [Clerk Note: Docket 140001-EI will be closed on issuance of this order.]	1594-1595
01/05/15	FPL's notice of intent to retain party status	1596-1598

Volume 9

01/05/15	FIPUG's notice of intent to retain party status.....	1599-1601
01/06/15	OPC's notice of reaffirming party status, filed on behalf of Citizens.....	1602-1603
01/06/15	FRF's notice reaffirming party status.....	1604-1605
01/12/15	Final Order PSC-15-0038-FOF-EI granting FPL's petition for approval of proposed gas reserve project.....	1606-1615
01/12/15	FPL's post-hearing brief on gas reserves guidelines (Issues 4, 5, and 7)	1616-1640
01/12/15	Citizens' post-hearing statement of positions and post-hearing brief, filed by OPC.....	1641-1681
01/12/15	FRF's notice of joinder in Citizens' post-hearing statement of positions and post-hearing brief.....	1682-1683
01/12/15	FIPUG's post-hearing statement of issues and positions and post-hearing brief related to FPL's proposed guidelines for future oil and gas exploration/drilling/production projects.....	1684-1704
01/15/15	OPC's notice of administrative appeal (of Order PSC-14-0697-PCO-EI)	1705-1715
	[Clerk Note: Docket 140001-EI reopened and placed in litigation status.]	
01/20/15	Letter dated January 20, 2015, from Carlotta S. Stauffer, Commission, to John A. Tomasino, Florida Supreme Court, forwarding a certified copy of a notice of administrative appeal and attachment, Order PSC-14-0697-PCO-EI.....	1716-1728
01/20/15	OPC's notice of administrative appeal (of Order PSC-15-0038-FOF-EI)	1729-1743

01/20/15	OPC's notice of administrative appeal (of Order PSC-14-0701-FOF-EI) 1744-1774 <i>[Clerk Note: Docket 140001-EI reopened and placed in litigation status.]</i>
01/20/15	Letter dated January 20, 2015, from Carlotta S. Stauffer, Commission, to John A. Tomasino, Florida Supreme Court, forwarding a certified copy of a notice of administrative appeal and attachment, Order PSC-15-0038-FOF-EI 1775-1791
01/20/15	Letter dated January 20, 2015, from Carlotta S. Stauffer, Commission, to John A. Tomasino, Florida Supreme Court, forwarding a certified copy of a notice of administrative appeal and attachment, Order PSC-14-0701-FOF-EI [See Volume 10 for continued pages] 1792-1800

Volume 10

01/20/15	[Continuation of] Letter dated January 20, 2015, from Carlotta S. Stauffer, Commission, to John A. Tomasino, Florida Supreme Court, forwarding a certified copy of a notice of administrative appeal and attachment, Order PSC-14-0701-FOF-EI 1801-1824
01/23/15	Supreme Court's Acknowledgment of new case, SC15-95 Citizens of the State of Florida vs. Art Graham, etc., et al 1825-1826
01/23/15	FIPUG's notice of filing; with attached documents previously produced to FIPUG by Commission, pursuant to a public records request relating to FPL's oil and gas exploration and production petition [See Volume 11 for continued pages] 1827-2000

Volume 11

01/23/15	[Continuation of] FIPUG's notice of filing; with attached documents previously produced to FIPUG by Commission, pursuant to a public records request relating to FPL's oil and gas exploration and production petition [See Volume 12 for continued pages] 2001-2200
----------	---

Volume 12

01/23/15	[Continuation of] FIPUG's notice of filing; with attached documents previously produced to FIPUG by Commission, pursuant to a public records request relating to FPL's oil and gas exploration and production petition 2201-2234
01/26/15	Supreme Court's Acknowledgment of new case, SC15-113, Citizens of the State of Florida vs. Art Graham, etc., et al 2235-2236

02/10/15 FIPUG's notice of administrative appeal (of
Order PSC-15-0038-FOF-EI)..... 2237-2249