

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 150009-EI

NUCLEAR COST RECOVERY CLAUSE.  
\_\_\_\_\_ /

PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONER  
PARTICIPATING: CHAIRMAN ART GRAHAM  
PREHEARING OFFICER

DATE: Tuesday, July 21, 2015

TIME: Commenced at 2:06 p.m.  
Concluded at 2:31 p.m.

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

REPORTED BY: LINDA BOLES, CRR, RPR  
Official FPSC Reporter  
(850) 413-6734

## A P P E A R A N C E S

1  
2 JESSICA CANO and KEVIN I.C. DONALDSON,  
3 ESQUIRES, Florida Power & Light Company, 700 Universe  
4 Boulevard, Juno Beach, Florida 33408, appearing on  
5 behalf of Florida Power & Light Company.

6 DIANNE M. TRIPLETT and MATTHEW R. BERNIER,  
7 ESQUIRES, Duke Energy Florida, Inc., Post Office Box  
8 14042, St. Petersburg, Florida 33733; and JAMES MICHAEL  
9 WALLS and BLAISE N. GAMBA, ESQUIRES, Carlton, Fields,  
10 Jordan & Burt, P.A, Post Office Box 3239, Tampa,  
11 Florida 33601-3239, appearing on behalf of Duke Energy  
12 Florida, Inc.

13 JON MOYLE, JR., VICKI GORDON KAUFMAN, and  
14 KAREN A. PUTNAL, Esquires, Moyle Law Firm, P.A., 118  
15 North Gadsden Street, Tallahassee, Florida 32301,  
16 appearing on behalf of the Florida Industrial Power  
17 Users Group.

18 ROBERT SCHEFFEL WRIGHT and JOHN T. LAVIA, III,  
19 ESQUIRES, Gardner, Bist, Wiener, Wadsworth, Bowden,  
20 Bush, Dee, LaVia & Wright, P.A., 1300 Thomaswood Drive,  
21 Tallahassee, Florida 32308, appearing on behalf of the  
22 Florida Retail Federation.

## 1 APPEARANCES (Continued):

2 GEORGE CAVROS, ESQUIRE, 120 East Oakland Park  
3 Boulevard, Suite 105, Fort Lauderdale, Florida 33334,  
4 appearing on behalf of Southern Alliance for Clean  
5 Energy.

6 JAMES W. BREW, OWEN J. KOPON, and LAURA A.  
7 WYNN, ESQUIRES, Stone, Mattheis, Xenopoulos & Brew,  
8 P.C., 1025 Thomas Jefferson Street, N.W., Eighth Floor,  
9 West Tower, Washington, DC 20007, appearing on behalf of  
10 White Springs Agricultural Chemicals, Inc., d/b/a PCS  
11 Phosphate White Springs.

12 VICTORIA MÉNDEZ and MATTHEW HABER, ESQUIRES,  
13 City of Miami, 444 S.W. 2nd Avenue, Suite 945, Miami,  
14 Florida 33130-1910, appearing on behalf of the City of  
15 Miami.

16 CHARLES J. REHWINKEL, PATRICIA A. CHRISTENSEN,  
17 and ERIK L. SAYLER, ESQUIRES, Office of Public Counsel,  
18 c/o The Florida Legislature, 111 W. Madison Street, Room  
19 812, Tallahassee, Florida 32399-1400, appearing on  
20 behalf of the Citizens of the State of Florida.

21 MARTHA BARRERA and KYESHA MAPP, ESQUIRES,  
22 Florida Public Service Commission, 2540 Shumard Oak  
23 Boulevard, Tallahassee, Florida 32399-0850, appearing on  
24 behalf of the Florida Public Service Commission.

1 APPEARANCES (Continued):

2 MARY ANNE HELTON, ESQUIRE, Deputy General  
3 Counsel, Florida Public Service Commission, 2540 Shumard  
4 Oak Boulevard, Tallahassee, Florida 32399-0850;  
5 appearing as Advisor to the Florida Public Service  
6 Commission.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

1  
2           **CHAIRMAN GRAHAM:** All right. I apologize  
3 for being late.

4           We will call this prehearing meeting to  
5 order. This is Docket 150009-EI. Staff, if I can  
6 get you to read the notice, please.

7           **MS. BARRERA:** Yes, Commissioner. This  
8 Prehearing Conference was convened and noticed for  
9 Tuesday, July 21st, 2015, at 2:00 p.m. in the Betty  
10 Easley Conference Center, Room 148.

11           **CHAIRMAN GRAHAM:** Okay. Let's take  
12 appearances.

13           **MS. CANO:** Good afternoon. Jessica Cano  
14 on behalf of Florida Power & Light Company. And  
15 I'd also like to enter an appearance for Kevin  
16 Donaldson.

17           **MS. TRIPLETT:** Good afternoon. Dianne  
18 Triplett on behalf of Duke Energy Florida, and I  
19 would also like to enter appearances for Matt  
20 Bernier, Mike Walls, and Blaise Gamba.

21           **MR. MOYLE:** Jon Moyle with the Moyle Law  
22 Firm on behalf of the Florida Industrial Power  
23 Users Group, FIPUG. I'd also like to enter an  
24 appearance for Karen Putnal and Vicki Gordon  
25 Kaufman with our firm.

1           **MR. WRIGHT:** Robert Scheffel Wright with  
2 the Gardner Law Firm appearing on behalf of the  
3 Florida Retail Federation, and I would like to also  
4 enter an appearance for my law partner John T.  
5 Lavia, III. Thank you.

6           **MR. CAVROS:** Good afternoon, Chairman.  
7 George Cavros on behalf of Southern Alliance for  
8 Clean Energy.

9           **MR. REHWINKEL:** Charles Rehwinkel and  
10 Patty Christensen with the Office of Public Counsel  
11 on behalf of Florida citizens.

12           **MR. BREW:** Good afternoon, Commissioner.  
13 I'm James Brew with the firm of Stone, Mattheis,  
14 Xenopoulos & Brew for White Springs Agricultural  
15 Chemicals. I'd like to make an appearance also for  
16 Owen Kopon and Laura Wynn.

17           **MS. MÉNDEZ:** Good afternoon. Victoria  
18 Méndez, City Attorney for the City of Miami, along  
19 with Matthew Haber, Assistant City Attorney for the  
20 City of Miami, representing the City of Miami.

21           **MR. SAYLER:** Erik Sayler also with the  
22 Office of Public Counsel.

23           **MS. BARRERA:** Martha Barrera with  
24 Commission staff, and with me also as co-counsel is  
25 Kyesha Mapp.

1           **MS. HELTON:** And Mary Anne Helton. I'm  
2 here as your advisor.

3           **CHAIRMAN GRAHAM:** Okay. Staff, any  
4 preliminary matters?

5           **MS. BARRERA:** Staff is not aware of any  
6 preliminary matters that we need to address.

7           **CHAIRMAN GRAHAM:** Is there any  
8 preliminary matters that anybody else knows of?

9           **MS. CHRISTENSEN:** Good afternoon,  
10 Chairman. Office of Public Counsel has an issue  
11 with one of our witnesses, and we can either take  
12 that up as a preliminary matter, or we can take  
13 that up when we are discussing the order of  
14 witnesses in the Prehearing Order at the Chairman's  
15 discretion.

16           **CHAIRMAN GRAHAM:** Well, let's take it up  
17 under order -- order of witnesses, Section VI.

18           **MS. CHRISTENSEN:** Thank you.

19           **CHAIRMAN GRAHAM:** Okay. Let's proceed  
20 through the draft hearing order. I guess we'll  
21 start with Section I. Let me back up.

22           Okay. Is there anything that needs to be  
23 changed in the case background that anybody knows of?

24           Section II, conduct of proceedings.

25           Section III.

1 Section IV.

2 **MS. BARRERA:** Staff would just like to  
3 point out that this hearing may involve a large  
4 number of confidential exhibits. And the parties  
5 are advised that pursuant to this section of the  
6 Prehearing Order, it's the parties' responsibility  
7 to have copies for the Commissioners, necessary  
8 staff, and the court reporter in red envelopes  
9 clearly marked with the nature of the contents and  
10 with the confidential information highlighted.  
11 Staff recommends that each party bring at least 15  
12 copies to the hearing.

13 Staff will provide the copies of the  
14 confidential portions of the prefiled testimony and  
15 exhibits to the Commissioners and necessary staff.

16 **CHAIRMAN GRAHAM:** Does that make sense,  
17 everybody?

18 Okay. Let's move on to Section V.

19 **MS. BARRERA:** Staff suggests at this  
20 point that the witness summary testimony be no  
21 longer than three minutes.

22 **CHAIRMAN GRAHAM:** Okay. Section VI.

23 **MS. BARRERA:** The order of witnesses --  
24 OPC has requested that its witness, Dr. Jacobs, be  
25 taken out of order. He cannot attend on the 19th,



1 so we recommend that he be allowed to testify on  
2 August 18th. And the parties have worked out an  
3 agreement that FP&L witnesses will start. If it  
4 looks like it's getting late, it will -- Mr. Jacobs  
5 will -- Dr. Jacobs will be fitted in, and if  
6 Ms. Christensen can explain.

7 **MS. CHRISTENSEN:** Yeah. My -- my  
8 understanding, Chairman, what we would do is  
9 proceed to take Dr. Jacobs after FPL's direct case  
10 in the normal course. However, if time appears to  
11 be running out, because he has to be in another  
12 engagement in Atlanta, Georgia, related to the  
13 Vogtle Plant, we would just slot him in as the last  
14 witness on the 18th, if necessary.

15 And we are aware that, you know, if Duke's  
16 case gets stipulated, they may go first and that may  
17 facilitate the need to slot him in. But, otherwise,  
18 I anticipate that we should probably just be able to  
19 take him up in the normal course on the 18th.

20 **CHAIRMAN GRAHAM:** This hearing, if I'm  
21 not mistaken, starts in the afternoon, like 12:30,  
22 1:00?

23 **MS. BARRERA:** Yes. 1:30.

24 **CHAIRMAN GRAHAM:** 1:30? So why don't we  
25 just say sometime around the 7:00 hour, if he's not

1 up yet, we'll just go ahead and take him after  
2 whoever is going at that hour.

3 **MS. CHRISTENSEN:** Okay.

4 **CHAIRMAN GRAHAM:** We'll kind of slide him  
5 in there so we make sure we get him done before the  
6 18th ends.

7 **MS. CHRISTENSEN:** That's fine. And we'll  
8 have him here and available to go earlier if, for  
9 some reason, the witnesses proceed more quickly.

10 **CHAIRMAN GRAHAM:** I mean, if we get -- if  
11 we get through all the FPL, then that's fine, he  
12 goes as normal.

13 **MS. CHRISTENSEN:** Okay.

14 **CHAIRMAN GRAHAM:** But if for some reason,  
15 you know, we're only into the second or third  
16 Florida Power & Light person, then we'll, we'll  
17 slide him in.

18 **MS. CHRISTENSEN:** All right. Thank you.

19 **CHAIRMAN GRAHAM:** Does that make sense?  
20 Okay.

21 **MS. BARRERA:** Commissioner, you said 7:00  
22 p.m.?

23 **CHAIRMAN GRAHAM:** Yeah. I mean, rough.  
24 If we finish at 6:30, then he'll be next.

25 **MS. BARRERA:** Yes, I understand. Okay.

1           We're not aware of any other witnesses to  
2 be taken out of order.

3           **CHAIRMAN GRAHAM:** Is there anything else,  
4 any other witnesses that need to be taken out of  
5 order? This is almost a first. I like this.  
6 Okay.

7           **MS. CHRISTENSEN:** Chairman -- I'm  
8 sorry -- can we go back to Section V briefly?

9           **CHAIRMAN GRAHAM:** Okay.

10          **MS. CHRISTENSEN:** I know staff  
11 recommended a three-minute summary for the  
12 witnesses. Usually we do five, and I would just  
13 ask that we stick with the five. It's not that  
14 much longer, but given the length of the testimony,  
15 it does make it a little bit easier for our  
16 witnesses to get through all of the major points in  
17 their testimony.

18          **CHAIRMAN GRAHAM:** I --

19          **MS. MÉNDEZ:** The City of Miami concurs  
20 with that request.

21          **CHAIRMAN GRAHAM:** I know the reason why  
22 staff wanted to go with three, just because we have  
23 so many witnesses that are coming up there. I guess  
24 my suggestion -- I don't have a problem going to  
25 five, but it's not necessary they do five.

1           **MS. CHRISTENSEN:** And we will certainly  
2 keep that in mind. But if we can have a little bit  
3 of a leeway between three and five, that would work  
4 for us. Thank you.

5           **CHAIRMAN GRAHAM:** I -- I had this  
6 conversation with staff. I know normal has been  
7 five and -- but, like I said, if there's -- if it's  
8 not needed, you don't need to take it.

9           **MS. CHRISTENSEN:** If we can make our  
10 point in three, we will. If we need five, we  
11 will --

12           **CHAIRMAN GRAHAM:** Thank you. Thank you  
13 very much.

14           **MS. CHRISTENSEN:** We appreciate the extra  
15 few minutes. Thank you.

16           **CHAIRMAN GRAHAM:** All right. So, staff,  
17 if you would make that change.

18           **MS. BARRERA:** Yes, we will.

19           **CHAIRMAN GRAHAM:** Okay. Section VI,  
20 anything else?

21           **MS. BARRERA:** Yes. There are at this  
22 time no witnesses that can be excused, including  
23 staff witnesses. We're trying to work with the  
24 parties to see if any of staff witnesses can be  
25 excused. At this point, you know, we don't have

1 word on that yet.

2           Should that -- any witness be requested to  
3 be excused, staff will confer with each Commissioner  
4 whether any of the witnesses can be excused and if  
5 they do not have questions of these witnesses, and  
6 we'll notify the parties in that regard.

7           **CHAIRMAN GRAHAM:** Okay. Let's move on to  
8 VII. Any changes in the base -- the basic  
9 positions?

10           Okay. VIII, issues and positions.

11           **MR. REHWINKEL:** Mr. Chairman -- Mr.  
12 Chairman, are you intending to go through -- I can  
13 give you kind of a wholesale answer to -- to all of  
14 the witnesses on 8 through 16, if you'd like,  
15 unless you want to go through issue by issue.

16           **CHAIRMAN GRAHAM:** I like wholesale.

17           **MR. REHWINKEL:** Okay. Well, I informed  
18 the Duke parties and staff that we have some  
19 changes that I will send electronically either by  
20 the end of the day or first thing in the morning.  
21 8, 12, 13, 14, and 15 will -- will revert to no  
22 position. And I have substantive new language on  
23 9, 10, 11, and 16 that I will provide to staff.

24           **CHAIRMAN GRAHAM:** Okay.

25           **MR. REHWINKEL:** I can read that language

1 to you, if you'd like, but I -- but I will give it  
2 electronically. And I think it may trigger some  
3 dominoes with some of the other parties.

4 **CHAIRMAN GRAHAM:** Would you -- would you  
5 like to read it then, if that's going to help?

6 **MR. REHWINKEL:** No, I'm fine. I've  
7 shared it with the parties.

8 **CHAIRMAN GRAHAM:** Okay. Okay. Mr. Brew.

9 **MR. BREW:** Commissioner, I would be one  
10 of those dominoes, and OP -- PCS will be changing  
11 its positions on Issues 9, 10, 11, and 16 to agree  
12 with OPC.

13 **CHAIRMAN GRAHAM:** Okay.

14 **MR. WRIGHT:** As will the FRF,  
15 Mr. Chairman. Thank you.

16 **MR. MOYLE:** And FIPUG will have some  
17 change in positions.

18 One, one point of clarification, if -- if  
19 I could. So to the extent that -- that OPC takes a  
20 position, you know, was the traffic light -- what  
21 color was the traffic light and they say it was red,  
22 and FIPUG agrees and said, we agree with OPC, it was  
23 red, and then OPC says, you know what, we're not  
24 taking a position on this issue, we're out of this  
25 issue, I just need to make sure I'm clear. I think

1 in the past we've said, well, you know, you still  
2 have to come check with FIPUG even if we adopt the  
3 position of OPC. So if that's the case, then we'll  
4 have some adopt position of OPC.

5 The other way to do it is just to set  
6 forth in a narrative fashion to say that, you know,  
7 the traffic light was red, so we're not kind of  
8 getting caught up by a party changing their position  
9 as a domino. I hope that that was clear. But we  
10 will have some change in positions that we'll get to  
11 staff, you know, by --

12 **MS. BARRERA:** Noon.

13 **MR. MOYLE:** -- tomorrow, if we can.

14 **CHAIRMAN GRAHAM:** I guess that you can  
15 always say we agree with OPC and their position as  
16 of this date.

17 **MR. MOYLE:** Yeah. I just -- where I  
18 don't want to find myself is if I agree with OPC  
19 and then all of the sudden they're, you know,  
20 they've gone away, then I go away magically as  
21 well. I don't want to --

22 **CHAIRMAN GRAHAM:** That's why if you tie  
23 it back to a date, the way they -- the way they  
24 felt back on a specific date.

25 **MR. MOYLE:** Okay. Thank you for that.

1           **CHAIRMAN GRAHAM:** Staff, were you looking  
2 to chime in?

3           **MS. BARRERA:** Well, yes. I suggest that  
4 FIPUG could just, you know, cut and paste from  
5 OPC's position, and that would make it clear, since  
6 when the orders are, you know, the draft orders are  
7 circulated back and forth, then it's hard to know  
8 which one we're referring to at that point in time.  
9 That would be my suggestion.

10          **CHAIRMAN GRAHAM:** Mary Anne.

11          **MS. HELTON:** Or maybe Mr. Rehwinkel could  
12 just share with Mr. Moyle what his changes are and  
13 then Mr. Moyle would know whether he agrees with  
14 them or not, and then we could state that in the  
15 Prehearing Order.

16          **MR. REHWINKEL:** I have shared it with  
17 him, so. I think he's worried if I change it  
18 again, so.

19          **MS. HELTON:** Maybe Mr. Rehwinkel could  
20 promise to let Mr. Moyle know if he's going to  
21 change it again.

22          **MR. MOYLE:** I tell you what, I appreciate  
23 the answer. I'll try to do it the way staff  
24 suggested. I just wanted to, you know, make clear  
25 that you don't want to all of the sudden wake up



1 one day and somebody's changed their position and  
2 you're out of luck. So I think -- I think we're  
3 good on that. I'll just go ahead and copy and  
4 paste and get you the -- the suggested revised  
5 positions, given what OPC has done.

6 **CHAIRMAN GRAHAM:** I think the simple  
7 thing is Mr. Moyle just wanted to have a car  
8 analogy or a traffic analogy out there and he  
9 didn't want -- he didn't want to miss the  
10 opportunity.

11 (Laughter.)

12 **MS. BARRERA:** Yes. I agree with OPC that  
13 the traffic light is red.

14 **MR. MOYLE:** Changing lanes maybe.

15 **CHAIRMAN GRAHAM:** Okay. Exhibit list.

16 **MS. BARRERA:** Staff will prepare a draft  
17 Comprehensive Exhibit List. It will list all  
18 prefiled exhibits and those exhibits that staff  
19 wishes to include in the record, and we will  
20 circulate the draft and check with the parties  
21 prior to hearing to determine if there are any  
22 objections to the list or to any of staff's  
23 exhibits being entered into the record.

24 **CHAIRMAN GRAHAM:** Proposed stipulations.

25 **MS. BARRERA:** There are no stipulations

1 at this time. My understanding is that the parties  
2 may be working on some. Should there be  
3 stipulations after the Prehearing Order is issued,  
4 a list will be provided to the Commissioners prior  
5 to the hearing.

6 **CHAIRMAN GRAHAM:** Notice how I keep on  
7 looking over at the Duke end of the table?

8 **MS. TRIPLETT:** We're working on it.

9 **CHAIRMAN GRAHAM:** Okay.

10 **MS. TRIPLETT:** We're on it.

11 **CHAIRMAN GRAHAM:** Okay. Pending motions.

12 **MS. BARRERA:** There are two motions for a  
13 protective order on grounds of confidentiality.  
14 They're reflected in the order. And we're not  
15 aware of any other motions.

16 **CHAIRMAN GRAHAM:** Anybody else, pending  
17 motions?

18 Okay. Confidentiality motions.

19 **MS. BARRERA:** Yes, there are a few  
20 pending, and they will -- they're listed in the  
21 draft Prehearing Order.

22 **CHAIRMAN GRAHAM:** What page?

23 **MS. BARRERA:** Oh, 21 -- 41. I'm sorry.

24 **CHAIRMAN GRAHAM:** Okay. Post-hearing  
25 procedures.

1           **MS. BARRERA:** Yes. The parties have  
2 indicated they will be filing post-hearing briefs  
3 on issues in this docket.

4           Pursuant to Rule 28-106.215, *Florida*  
5 *Administrative Code*, a party's proposed findings of  
6 fact, conclusions of law, if any, statements of  
7 issues and positions in brief shall together total  
8 no more than 40 pages. And staff suggests that the  
9 post-hearing briefs, therefore, be no longer than 40  
10 pages.

11           **CHAIRMAN GRAHAM:** Are parties all in  
12 agreement?

13           **MR. REHWINKEL:** Is that per company? Is  
14 that the intent?

15           **MS. BARRERA:** Pardon?

16           **MR. REHWINKEL:** Well, the Public Counsel,  
17 we participate in two sides. I don't know how much  
18 brief -- we have -- there's two companies and --

19           **CHAIRMAN GRAHAM:** You need to pull -- you  
20 need to pull the mike over so we get you on the  
21 record.

22           **MR. REHWINKEL:** Is it intended to be 40  
23 total for the Public Counsel with -- including both  
24 FPL and Duke?

25           **CHAIRMAN GRAHAM:** I think it's 40 for FPL

1 and 40 for Duke. Is that correct?

2 **MS. BARRERA:** That's what I believe.

3 **MR. REHWINKEL:** Okay. I just wanted to  
4 make sure.

5 **MS. BARRERA:** So 40 pages per company.

6 We also suggest that a summary of each  
7 position of no more than 50 words set off with  
8 asterisks should be included in the statement.

9 **MS. CANO:** Excuse me, Chairman Graham.

10 **CHAIRMAN GRAHAM:** Yes.

11 **MS. CANO:** In the past for this docket,  
12 because the issues are relatively complex, we've  
13 been provided 120 words, and that was in 2012 and  
14 2013. Last year I don't believe there even was a  
15 word limit for some reason. But I think something  
16 more than 50 would be much more workable. 120  
17 would be fine, 100 would probably be fine, but  
18 something more than 50 would be appreciated.

19 **CHAIRMAN GRAHAM:** Just for the summary?

20 **MS. CANO:** For the position on each  
21 issue, yes.

22 **CHAIRMAN GRAHAM:** Staff, is there a  
23 reason why we went from 100 to 150 -- I'm sorry --  
24 120 down to 50?

25 **MS. BARRERA:** I'm new to this docket

1 basically and would normally do the 50, but we have  
2 no objection to 120.

3 **CHAIRMAN GRAHAM:** We'll split the baby.  
4 Let's make it 100.

5 **MS. CANO:** That's fine. Thank you.

6 **CHAIRMAN GRAHAM:** Okay. Anyone else?  
7 So briefs are due September 1st; is that  
8 correct, staff?

9 **MS. BARRERA:** Yes, the briefs are due  
10 September 1st, 2015.

11 **CHAIRMAN GRAHAM:** Okay. The next section  
12 is rulings.

13 **MS. BARRERA:** We're suggesting that the  
14 Prehearing Officer make a ruling that opening  
15 statements should not exceed five minutes per  
16 party, unless any party chooses to waive its  
17 opening statement.

18 **MS. CANO:** Hello again. In the past, I  
19 believe Duke and FPL have been given ten minutes  
20 each, and then -- I apologize, I don't recall what  
21 the Intervenors were provided. But without trying  
22 to use a full ten minutes, I'd appreciate the  
23 opportunity to have up to ten minutes.

24 **MR. MOYLE:** I would think similarly. I  
25 think -- I think there may have been some

1 additional latitude provided to our side, and I  
2 don't think we've abused it or gotten close to  
3 the -- to the magic number on these. But having a  
4 little more time rather than a little less time  
5 would be appreciated. And I guess it's also -- you  
6 know, it says per party, so we're doing these  
7 separately.

8 **CHAIRMAN GRAHAM:** So you're saying for  
9 each one of you you want to go from five minutes to  
10 ten minutes?

11 **MR. MOYLE:** I don't -- I don't think I  
12 need it, but I'd rather -- you know, I could --  
13 seven and a half. But, you know, if something  
14 comes up, there's an issue, all of the sudden you  
15 turn around -- you know, five minutes rolls by  
16 pretty, you know, pretty quickly, so.

17 You know, I personally don't like  
18 aggregating because, you know, there's Mr. Cavros,  
19 Mr. Wright, OPC, Miami. It kind of puts us into  
20 another, another situation of having to coordinate,  
21 and then sometimes you end up on the short end of  
22 the stick. So, you know, seven and a half minutes  
23 would work fine for -- for my purposes.

24 **CHAIRMAN GRAHAM:** I think that starts  
25 adding up quite quickly with every one of you guys

1 going from five minutes to seven minutes -- I mean,  
2 from five minutes to ten minutes.

3 **MR. REHWINKEL:** I can say on the Duke  
4 side I don't need more than two or three minutes,  
5 and I'd be happy to cap myself at three minutes, if  
6 that would help. I mean, I don't even really need  
7 that probably.

8 **MS. CHRISTENSEN:** Commissioner, maybe if  
9 I could ask for clarification. I know we made a  
10 distinction of 40 pages per company. Maybe if that  
11 were the distinction here as well, five minutes per  
12 company, because OPC, as you're aware, we have two  
13 attorneys handling the two different companies. I  
14 might use the five minutes, although I suspect I  
15 could probably be more succinct than that.

16 **CHAIRMAN GRAHAM:** Well, it's going to  
17 be -- it'll be -- it'll be five minutes per  
18 company.

19 **MS. CHRISTENSEN:** Okay.

20 **CHAIRMAN GRAHAM:** And -- and I think  
21 I'm -- I think we're going to keep it at five  
22 minutes. I think, you know, because it is just  
23 opening statements, and I think you guys should  
24 being able to get it in there.

25 **MS. CHRISTENSEN:** Yeah. If it's five

1 minutes per -- per company per each party, then I  
2 think, yes, we can certainly make that happen.  
3 Thank you.

4 **CHAIRMAN GRAHAM:** Yes, you have your --

5 **MS. CANO:** If it's useful --

6 **CHAIRMAN GRAHAM:** Yes, you have your ten  
7 minutes.

8 **MS. CANO:** Okay. I was just going to say  
9 I did find what happened last year, if it's useful  
10 for the conversation. But you're indicating ten  
11 minutes for each utility and five minutes for  
12 each -- each Intervenor?

13 **CHAIRMAN GRAHAM:** That's correct.

14 **MS. CANO:** Thank you.

15 **CHAIRMAN GRAHAM:** Staff, did you get  
16 that?

17 **MS. BARRERA:** Yes. Thank you.

18 **CHAIRMAN GRAHAM:** Okay. Remember,  
19 brevity is always good here.

20 Okay. Other matters.

21 **MS. BARRERA:** We're not aware of any  
22 other matters, Commissioner.

23 **CHAIRMAN GRAHAM:** Is there anything else  
24 that I missed? Once again, I apologize for being  
25 late. That's a rarity for me.



1           **MS. BARRERA:** Commissioner, I would just  
2 like to advise the parties if there's any -- I  
3 think we understood that, but I just want to make  
4 sure -- if there's any change in positions, in  
5 writing by noon tomorrow would be perfect.

6           **CHAIRMAN GRAHAM:** Mr. Moyle, you said  
7 you've already gotten the changes that OPC plans on  
8 making as of -- as of right now?

9           **MR. MOYLE:** Yeah. There's been a number  
10 of conversations. I'll follow up with Charles.  
11 I'll -- I'll get it back to you all, even though we  
12 have that hearing in the morning, I'll go ahead and  
13 get those to you this afternoon.

14           **CHAIRMAN GRAHAM:** I know this is a lot  
15 coming at you guys all at one time. We squeeze it  
16 into a half hour.

17           Miami, I know this is new for you guys.  
18 Is there any questions or concerns?

19           **MS. MÉNDEZ:** I was just confirming how  
20 many prefiled, fully prefiled, I guess, witnesses  
21 there will be with regard to, you know,  
22 cross-examination and things of that nature.

23           **CHAIRMAN GRAHAM:** Okay.

24           **MS. MÉNDEZ:** So that's what I was just  
25 trying to confirm.

1                   **CHAIRMAN GRAHAM:** Okay. But everything  
2 else, you're good?

3                   **MS. MÉNDEZ:** Yeah.

4                   **CHAIRMAN GRAHAM:** Okay.

5                   **MS. MÉNDEZ:** Thank you.

6                   **CHAIRMAN GRAHAM:** All right. Well, if  
7 there's nothing else, then we are adjourned. Thank  
8 you very much for being here.

9                   (Prehearing Conference adjourned at 2:31  
10 p.m.)

1 STATE OF FLORIDA )  
2 COUNTY OF LEON ) : CERTIFICATE OF REPORTER

3  
4 I, LINDA BOLES, CRR, RPR, Official Commission  
5 Reporter, do hereby certify that the foregoing  
6 proceeding was heard at the time and place herein  
7 stated.

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

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

18 DATED THIS 22nd day of July, 2015.

19  
20  
21  
22  
23  
24  
25  


---

LINDA BOLES, CRR, RPR  
FPSC Official Hearings Reporter  
(850) 413-6734