



## 1 APPEARANCES:

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

6 J. R. KELLY, PUBLIC COUNSEL; CHARLES  
7 REHWINKEL, DEPUTY PUBLIC COUNSEL; and PATRICIA A.  
8 CHRISTENSEN, ASSOCIATE PUBLIC COUNSEL, ESQUIRES, Office  
9 of Public Counsel, c/o The Florida Legislature, 111 West  
10 Madison Street, Room 812, Tallahassee, Florida  
11 32399-1400, appearing on behalf of the Citizens of the  
12 State of Florida.

13 KYESHA MAPP, ESQUIRE, Florida Public Service  
14 Commission, 2540 Shumard Oak Boulevard, Tallahassee,  
15 Florida 32399-0850, appearing on behalf of the Florida  
16 Public Service Commission.

17 MARY ANNE HELTON, DEPUTY GENERAL COUNSEL,  
18 Florida Public Service Commission, 2540 Shumard Oak  
19 Boulevard, Tallahassee, Florida 32399-0850, appearing as  
20 Advisor to the Florida Public Service Commission.

21 CHARLIE BECK, GENERAL COUNSEL, Florida Public  
22 Service Commission, 2540 Shumard Oak Boulevard,  
23 Tallahassee, Florida 32399-0850, appearing as General  
24 Counsel to the Florida Public Service Commission.

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

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2           **CHAIRMAN GRAHAM:** Okay. I figure the sooner  
3 we get started, the sooner we can get done.

4           We will call this prehearing to order. Let  
5 the record show it is Monday at 2:00, and this is the  
6 fuel clause prehearing.

7           Staff, if -- excuse me. Staff, if I can get  
8 you to read the notice, please.

9           **MS. MAPP:** By notice issued October 5th, 2015,  
10 this time and place is set for a Prehearing Conference  
11 in the following dockets: 150001-EI, 150002-EG,  
12 150003-GU, 150004-GU, and 150007-EI. The purpose of the  
13 prehearing is set out in the notice.

14           **CHAIRMAN GRAHAM:** Okay. I think we need to  
15 take appearances.

16           **MR. BUTLER:** Good afternoon, Mr. Chairman.  
17 John Butler appearing on behalf of Florida Power & Light  
18 Company in the 01, 02, and 07 dockets. I'd also like to  
19 enter an appearance for Wade Litchfield and Maria  
20 Moncada in those three dockets, and for Jessica Cano in  
21 the 01 docket only. Thank you.

22           **MR. BERNIER:** Good afternoon, Mr. Chairman.  
23 Matt Bernier for Duke Energy Florida, and making an  
24 appearance in the 01, 02, and 07 dockets. I'd also like  
25 to enter an appearance for Dianne Triplett in those same

1 dockets and John Burnett in the 01 docket only. Thank  
2 you.

3 **MR. BEASLEY:** Good afternoon, Chairman Graham.  
4 James D. Beasley appearing with J. Jeffry Wahlen, Ashley  
5 M. Daniels in the 01, 02, and 07 dockets for Tampa  
6 Electric.

7 **MR. BADDERS:** Good afternoon, Chairman.  
8 Russell Badders on behalf of Gulf Power Company in the  
9 01, 02, and 07 dockets. I'd also like to enter an  
10 appearance for Jeffrey A. Stone and Steven R. Griffin in  
11 the same dockets.

12 **MS. KEATING:** Good afternoon, Mr. Chairman.  
13 Beth Keating with the Gunster Law Firm here this  
14 afternoon for FPUC in the 01 and 02 dockets. Also here  
15 for FPUC in the 03 dockets, as well as Florida City Gas.  
16 And in the 04 docket appearing for FPUC, FPUC Fort  
17 Meade, FPUC Indiantown Division, Chesapeake, and Florida  
18 City Gas.

19 **MS. PUTNAL:** Good afternoon, Chairman Graham.  
20 I'm Karen Putnal. I'm here today on behalf of the  
21 Florida Industrial Power Users Group. I'd like to make  
22 an appearance in the 01, 02, and 07 dockets, and also  
23 enter an appearance for Jon Moyle in those same dockets.  
24 Thank you.

25 **MR. LAVIA:** Good afternoon, Mr. Chairman.

1 J. LaVia with the Gardner Law Firm making an appearance  
2 in the 01 docket on behalf of the Florida Retail  
3 Federation. I'd also like to make an appearance for my  
4 law partner Robert Scheffel Wright in the same  
5 01 docket. Thank you.

6 **MR. KOPON:** Good afternoon, Mr. Chairman.  
7 Owen Kopon for PCS Phosphate/White Springs in the 01,  
8 02, and 07 dockets. And I'd also like to make an  
9 appearance for James Brew and Laura Wynn.

10 **MR. REHWINKEL:** Good afternoon, Mr. Chairman.  
11 Let me try to do this. Charles J. Rehwinkel with the  
12 Office of Public Counsel making an appearance in all  
13 dockets, along with J. R. Kelly in all dockets.

14 In the 02 docket that would -- the appearance  
15 would be additionally with Patricia Christensen. In the  
16 03 docket, Patricia Christensen also. In the 04 docket,  
17 I am the only one making an appearance in addition to  
18 Mr. Kelly. And in the 07 docket, Patricia Christensen  
19 also.

20 Let me go back to the 01 docket. The  
21 appearances will also be Patricia Christensen, John  
22 Truitt, and Erik Sayler in addition to myself and  
23 Mr. Kelly. Thank you.

24 **CHAIRMAN GRAHAM:** Okay.

25 **MR. HORTON:** Mr. Chairman, Norman H. Horton,

1 Jr., appearing in the 04 docket for Sebring Gas.

2 **CHAIRMAN GRAHAM:** That's the 04 docket?

3 **MR. HORTON:** Yes, sir. The 04 docket.

4 **CHAIRMAN GRAHAM:** Okay.

5 **MS. MAPP:** Kyesha Mapp appearing in the  
6 03 docket, Suzanne Brownless -- and making an appearance  
7 for Suzanne Brownless, Danijela Janjic, and John  
8 Villafrate in the 01 docket; Lee Eng Tan and Bianca  
9 Lherisson in the 02 docket; Leslie Ames and Kelley  
10 Corbari in the 04 docket; and Charles Murphy in the 07  
11 docket.

12 **CHAIRMAN GRAHAM:** Okay. Was that --

13 **MS. HELTON:** Mary Anne Helton. I'm here as an  
14 advisor for you in all of the dockets.

15 **MR. BECK:** And Charlie Beck, General Counsel.

16 **CHAIRMAN GRAHAM:** Is that all the appearances?

17 Okay. So the order of the dockets today are  
18 going to be the 03 docket, then the 04 docket, then the  
19 02 docket, then the 07 docket, and then the 01 docket.

20 Preliminary matters, staff.

21 **MS. MAPP:** Yes, Mr. Chairman. Staff will note  
22 for the record that St. Joe Natural Gas Company has been  
23 excused from the prehearing and hearing, and Peoples has  
24 been excused from the prehearing in the 03 and the  
25 04 dockets.

1                   **CHAIRMAN GRAHAM:** Okay.

2                   **MS. MAPP:** There are also proposed  
3 stipulations on all issues as reflected in Sections  
4 VIII and X of the Prehearing Order.

5                   **CHAIRMAN GRAHAM:** Are there any other  
6 preliminary matters to come before us for this docket?

7                   Okay. So we'll proceed through the Prehearing  
8 Order. Let's go through section by section. If there's  
9 something that needs to be changed or added, let me  
10 know.

11                   We'll start with Section I of the 03 docket.  
12 I see nobody, so Section II. Section III. Don't be  
13 shy. Section IV. Section V. Section VI.

14                   **MS. MAPP:** Mr. Chairman?

15                   **CHAIRMAN GRAHAM:** Yes.

16                   **MS. MAPP:** Staff would like to point out that  
17 witnesses may be excused if no Commissioner seeks  
18 cross-examination. At this time it appears that all  
19 witnesses can be excused, but staff will confirm this  
20 with each Commissioner and contact the parties prior to  
21 the hearing.

22                   **CHAIRMAN GRAHAM:** Okay. Anything else in the  
23 VI section? How about the VII section? Let's move on  
24 to Section No. VIII. Staff?

25                   **MS. MAPP:** Yes. Staff -- we would like to

1 comment, as stated earlier, that there are proposed  
2 stipulations on all issues, with OPC taking no position  
3 at this time. Staff would also suggest that the parties  
4 who have not yet taken a position or wish to change  
5 their position be allowed to submit their position in  
6 writing no later than noon tomorrow, October 20th. If a  
7 party fails to take a position by that time, the  
8 Prehearing Order will reflect no position for that party  
9 on that issue.

10 **CHAIRMAN GRAHAM:** Let's go ahead and make that  
11 the end of the day tomorrow rather than noon. We'll  
12 stay consistent.

13 Any questions on what staff just said about  
14 Section VIII?

15 **MR. REHWINKEL:** Mr. Chairman --

16 **CHAIRMAN GRAHAM:** Yes, sir.

17 **MR. REHWINKEL:** -- the Public Counsel will  
18 provide verbiage to the Commission and staff that will  
19 indicate that we take no position on all of the issues,  
20 but it will be language similar to what I submitted in  
21 the 07 docket that has a little bit of explanation. But  
22 the bottom line is that we take no position, and thus we  
23 do not stand in the way of any stipulation that the  
24 parties and the company -- the company and staff might  
25 enter into.



1           **CHAIRMAN GRAHAM:** Okay.

2           **MR. REHWINKEL:** But we will provide that  
3 language in Word format to the staff and parties.

4           **CHAIRMAN GRAHAM:** Okay. Anybody else on --  
5 we're still on Section VIII.

6           Okay. Section IX, exhibit list.

7           **MS. MAPP:** Staff has prepared a Comprehensive  
8 Exhibit List which will be distributed to the parties  
9 prior to the hearing, which will include all prefiled  
10 exhibits and testimony. And if the parties have any  
11 objections, they will be corrected within that list at  
12 that time.

13           **CHAIRMAN GRAHAM:** Anything else in Section IX?  
14 Section X.

15           **MS. MAPP:** I'll note again that there are  
16 proposed stipulations on all issues, and the Prehearing  
17 Order will be changed to reflect that, along with Office  
18 of Public Counsel's position on those stipulations as  
19 well.

20           **CHAIRMAN GRAHAM:** Section XI. There are no  
21 pending motions in this docket?

22           **MS. MAPP:** No.

23           **CHAIRMAN GRAHAM:** Section XII.

24           **MS. MAPP:** There are no pending  
25 confidentiality requests.

1           **CHAIRMAN GRAHAM:** Section XIII.

2           **MS. MAPP:** If the parties agree to waive  
3           briefs, the Commission may make a bench decision at the  
4           hearing for this portion of the docket. However, if  
5           there are briefs, staff would recommend that  
6           post-hearing briefs be limited to 20 pages.

7           **CHAIRMAN GRAHAM:** Are all parties in  
8           agreement? Ms. Keating.

9           **MS. KEATING:** Yes, Mr. Chairman, FPUC and  
10          Florida City Gas would be.

11          **CHAIRMAN GRAHAM:** Okay. Just as long as you  
12          don't say no, I'm assuming yes.

13          Okay. Let's move on to the date. Staff.

14          **MS. MAPP:** We would recommend that any briefs  
15          be due on November 13th for the December 3rd Agenda  
16          Conference.

17          **CHAIRMAN GRAHAM:** Nothing else for Section  
18          XIII. How about Section XIV, rulings? Opening  
19          statements, if you choose to use them, will be about  
20          five minutes. It will be five minutes, not about. It  
21          can be shorter, just don't go longer. And if you choose  
22          to waive the opening statements, that's fine. Briefs  
23          will be 20 pages. Any questions or concerns about that?

24          Okay. Staff, did you have something else for  
25          Section XIV?

1           **MS. MAPP:** No, Mr. Chairman. That's all.

2           **CHAIRMAN GRAHAM:** Okay. Other matters. Are  
3 there any other matters to come before us during this  
4 prehearing for this section -- I'm sorry, for this  
5 docket, Docket No. 3?

6           **MS. MAPP:** Nothing from staff.

7           **CHAIRMAN GRAHAM:** Okay. We will adjourn for  
8 Docket No. 3.

9           (Prehearing Conference concluded at 2:14 p.m.)

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

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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 20th day of October, 2015.

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