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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 160194-EU

JOINT PETITION FOR APPROVAL OF
AMENDMENT TO TERRITORIAL
AGREEMENT IN ALACHUA COUNTY BY
THE CITY OF ALACHUA AND DUKE
ENERGY FLORIDA, LLC.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 8

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

DATE: Tuesday, November 1, 2016

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

REPORTED BY: ANDREA KOMARIDIS
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 CHAIRMAN BROWN: Moving on to Item 8.

3 Good afternoon.

4 MR. COSTON: Good afternoon. Tripp Coston
5 with Commission staff. I would like to take this
6 opportunity to introduce Nate Whitchurch. This is
7 Nate's first time before the Commission. And he
8 will be presenting the next item.

9 CHAIRMAN BROWN: Good luck, Nate.

10 (Laughter.)

11 MR. WHITCHURCH: Thank you.

12 Good afternoon, Madam Chairman and
13 Commissioners. Nate Whitchurch with the Commission
14 staff.

15 Item 8 is the joint petition filed by the City
16 of Alachua and Duke Energy Florida, LLC, requesting
17 approval of an amended territorial agreement in
18 Alachua County.

19 The proposed agreement does not change the
20 territorial boundaries; however, one commercial
21 customer and one residential customer will be
22 transferred from Duke to Alachua. These two
23 customers were found to be inadvertently served by
24 Duke. And the customers have been notified, and a
25 description of the billing differences between

1 Duke's and Alachua's rates have been provided to
2 them.

3 No feedback has been received from the two
4 affected customers. And staff recommends approval
5 of this petition. Staff and representatives from
6 Duke are available to answer any question the
7 Commission may have. Thank you.

8 CHAIRMAN BROWN: Thank you. Good job. There
9 are a few questions for you.

10 Commissioner Edgar.

11 MR. HETRICK: Madam Chair, excuse me --

12 CHAIRMAN BROWN: Oh, yes, Mr. --

13 MR. HETRICK: If I --

14 CHAIRMAN BROWN: Oh, if you could, for one
15 moment, allow Commissioner Edgar to continue with
16 her question first.

17 MR. HETRICK: Yes, ma'am.

18 CHAIRMAN BROWN: Please, go ahead,
19 Commissioner Edgar.

20 COMMISSIONER EDGAR: Thank you, Madam Chair.
21 Welcome, Mr. Whitchurch.

22 MR. WHITCHURCH: Thank you.

23 COMMISSIONER EDGAR: Glad to have you here.

24 Do you have any idea how many hours of staff
25 time has gone into this item?

1 MR. WHITCHURCH: I've dedicated a large amount
2 of time.

3 (Laughter.)

4 COMMISSIONER EDGAR: Do you have other items
5 that you're working on on behalf of the state of
6 Florida?

7 MR. WHITCHURCH: I'm currently working on
8 another docket for another territorial agreement
9 between Duke and another set of counties.

10 I did work on the FPL rate case, but that is
11 currently under review.

12 COMMISSIONER EDGAR: I -- yes, it is.

13 (Laughter.)

14 Thank you.

15 CHAIRMAN BROWN: Thank you. Thank you.

16 Commissioner Patronis.

17 COMMISSIONER PATRONIS: Thank you, Madam
18 Chairman.

19 Mr. Whitchurch, are you nervous?

20 MR. WHITCHURCH: Yes.

21 COMMISSIONER PATRONIS: Good. It's obvious.
22 With all that blood rushing and everything, your
23 facial hair is, like, growing out of your face.
24 It's obvious that this -- from this morning to now,
25 it's amazing what your hair is -- growing on your

1 face has done.

2 MR. WHITCHURCH: I'll be looking forward to
3 looking at the replay.

4 (Laughter.)

5 CHAIRMAN BROWN: Thank you.

6 And I'm sorry, Mr. Hetrick.

7 MR. HETRICK: Thank you, Madam Chair. I would
8 also like to introduce Wesley Taylor. This is his
9 first time as an attorney handling --

10 CHAIRMAN BROWN: That's right.

11 MR. HETRICK: -- an agenda item. Wesley is
12 one of our top recruits from Florida State
13 University and new attorney. We're so excited and
14 proud to have him with us. He's done a fantastic
15 job.

16 So, you might entertain a question or two.

17 CHAIRMAN BROWN: Thank you. I've had some
18 interactions with Mr. Taylor. And I've been very
19 impressed and so excited that you've joined the
20 legal team. Thank you. And welcome, all of you.
21 Thanks.

22 Commissioner Edgar -- oh, Commissioner Brisé.
23 You've got more, guys.

24 COMMISSIONER BRISÉ: Thank you. And this is
25 for Mr. Taylor. And we welcome you two to the team

1 here.

2 So, Chapt- -- Section 366.04(2)(d) -- do you
3 know what year that was added to -- to the
4 statutes?

5 MR. TAYLOR: I don't recall.

6 (Laughter.)

7 COMMISSIONER BRISÉ: You don't recall. Good
8 answer.

9 And the rule associated with it,
10 25-6.0440(2) -- do you have any idea who was chair
11 of the Commission when -- when that was put in
12 place?

13 MR. TAYLOR: I don't recall.

14 COMMISSIONER BRISÉ: Well, you've got -- you
15 have homework now, right?

16 (Laughter.)

17 CHAIRMAN BROWN: Right.

18 COMMISSIONER BRISÉ: All right. Welcome.

19 CHAIRMAN BROWN: Thank you, Commissioner
20 Brisé.

21 Commissioner Edgar has a question.

22 COMMISSIONER EDGAR: I was going -- which
23 actually, I think, follows right along with my
24 friend, Commissioner Brisé's, questions. I also am
25 a graduate of Florida State Law School. Go Noles.

1 In my first year out of law school working for the
2 state of Florida, a lot of what I did was research
3 legislative intent.

4 So, my question is: Was there other
5 Legislative-intent language, either through bill
6 analyses or other mechanisms, that is associated
7 with the Commission's authority for territorial
8 agreements?

9 CHAIRMAN BROWN: That's a good question.

10 MR. TAYLOR: That's a good question.

11 COMMISSIONER EDGAR: Well, thank you,
12 Mr. Taylor. That's my job.

13 MR. TAYLOR: Um --

14 CHAIRMAN BROWN: I'll let you off on that.

15 MR. TAYLOR: Yeah, I'm going to have to defer.

16 COMMISSIONER EDGAR: You can say, not to my
17 knowledge.

18 MR. TAYLOR: Not to my knowledge.

19 (Laughter.)

20 COMMISSIONER EDGAR: All right. That works.
21 Thank you.

22 CHAIRMAN BROWN: All right.

23 MR. HETRICK: Obviously, Commissioner, he will
24 get back with you with the proper answers.

25 COMMISSIONER EDGAR: That works.

1 CHAIRMAN BROWN: Do we have a motion on this?

2 COMMISSIONER EDGAR: Move staff.

3 CHAIRMAN BROWN: Is there a second?

4 COMMISSIONER BRISÉ: Second.

5 CHAIRMAN BROWN: All those in favor --

6 (Chorus of ayes.)

7 Opposed?

8 All right. Motion passes.

9 Gentlemen, thank you very much for joining us.

10 COMMISSIONER EDGAR: Welcome.

11 CHAIRMAN BROWN: Welcome. Sorry for ribbing
12 you hard.

13 (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, ANDREA KOMARIDIS, 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 9th day of November, 2016.



ANDREA KOMARIDIS
NOTARY PUBLIC
COMMISSION #EE866180
EXPIRES FEBRUARY 09, 2017