

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20170003-GU

PURCHASED GAS ADJUSTMENT (PGA)  
TRUE-UP.

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PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONER  
PARTICIPATING: COMMISSIONER RONALD A. BRISÉ  
PREHEARING OFFICER

DATE: Wednesday, October 11, 2017

TIME: Commenced at 1:47 p.m.  
Concluded at 1:52 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

## 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.

6 GREGORY M. MUNSON, ESQUIRE, Gunster Law Firm 215  
7 South Monroe Street, Suite 601, Tallahassee, Florida  
8 32301-1937, appearing on behalf of Florida City Gas.

9 J.R. KELLY, PUBLIC COUNSEL; CHARLES REHWINKEL,  
10 DEPUTY PUBLIC COUNSEL; PATRICIA A. CHRISTENSEN; ERIK  
11 SAYLER; and STEPHANIE A. MORSE, ESQUIRES, Office of  
12 Public Counsel, c/o the Florida Legislature, 111 W.  
13 Madison Street, Room 812, Tallahassee, Florida  
14 32399-1400, appearing on behalf of the Citizens of the  
15 State of Florida.

16 WESLEY TAYLOR, ESQUIRES, FPSC General Counsel's  
17 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida  
18 32399-0850, appearing on behalf of the Florida Public  
19 Service Commission Staff.

20 KEITH HETRICK, GENERAL COUNSEL; MARY ANNE HELTON,  
21 DEPUTY GENERAL COUNSEL, as Advisors to the Florida  
22 Public Service Commission, 2540 Shumard Oak Boulevard,  
23 Tallahassee, Florida 32399-0850.

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

1  
2           **COMMISSIONER BRISÉ:** All right. We're going  
3 to go ahead and call this Prehearing Conference to  
4 order. Today is October 11th, 2017, it is 1:31, I  
5 believe, and this is 2017.

6           And so we have five dockets that we have to  
7 cover today, and so with that, we're going to ask  
8 Ms. Margo Duval to read the notice.

9           **MS. DUVAL:** Thank you, Commissioner.

10           By notice issued September 27th, 2017, this  
11 time and place was set for a prehearing in the following  
12 dockets: 20170001-EI, 20170002-EG, 20170003-GU,  
13 20170004-GU, and 20170007-EI. The purpose of the  
14 prehearing is set out in the notice.

15           **COMMISSIONER BRISÉ:** Thank you. And so at  
16 this time, we'll take appearances, and staff has  
17 suggested, and I think it's a great suggestion, that we  
18 will take appearances for all of the dockets at one  
19 time. And so at this point, we'll take appearances.

20           **MR. BUTLER:** Thank you, Commissioner. John  
21 Butler appearing for Florida Power & Light Company in  
22 the 01, 02, and 07 dockets. I'd also like to enter  
23 appearances for Wade Litchfield in the 01, 02, and 07  
24 dockets, Ken Rubin in the 02 docket, Jessica Cano in the  
25 07 docket, and Maria Moncada in the 01 docket. Thank

1 you.

2 **COMMISSIONER BRISÉ:** Thank you.

3 **MR. BERNIER:** Good afternoon, Commissioner.  
4 Matt Bernier for Duke Energy. I'll be entering an  
5 appearance in the 01, 02, and 07 dockets. And I'd also  
6 like to enter an appearance for Dianne Triplett in those  
7 same dockets.

8 **COMMISSIONER BRISÉ:** Okay. Thank you.

9 **MR. GRIFFIN:** Good afternoon, Commissioner.  
10 Steven Griffin with the law firm of Beggs & Lane. I'd  
11 like to enter an appearance for myself in the 01, 02,  
12 and 07 docket. Also appearing in those dockets are  
13 Jeffrey A. Stone, General Counsel for Gulf Power  
14 Company, and my partner, Russell A. Badders.

15 **MR. BEASLEY:** Good afternoon, Commissioner.  
16 Jim Beasley for Tampa Electric Company in the 01, 02,  
17 and 07 dockets. I'd also like to enter an appearance  
18 for my partner Jeff Wahlen.

19 **COMMISSIONER BRISÉ:** Okay.

20 **MS. KEATING:** Good afternoon, Commissioner.  
21 Beth Keating with the Gunster Law Firm. I'm here today  
22 appearing on behalf of FPUC in the 01, 02, and  
23 03 dockets, and on behalf of FPUC and Chesapeake, the  
24 consolidated companies, in the 04 docket.

25 **COMMISSIONER BRISÉ:** Okay. Thank you.

1           **MR. MUNSON:** Good afternoon, Commissioner.

2           Greg Munson also with the Gunster Law Firm here on  
3           behalf of Florida City Gas in the 03 and 04 dockets.

4           **COMMISSIONER BRISÉ:** Thank you.

5           **MR. BREW:** Good afternoon, Commissioner. I'm  
6           James Brew. I'm here for White Springs Agricultural  
7           Chemicals, PCS Phosphate in the 01, 2, and 7 dockets.

8           **COMMISSIONER BRISÉ:** All right. Thank you.

9           **MR. REHWINKEL:** Good afternoon, Commissioner.  
10          Charles Rehwinkel with the Office of Public Counsel. I  
11          would like to enter an appearance in all dockets for  
12          myself; Patricia Christensen; Stephanie Morse; J.R.  
13          Kelly, the Public Counsel; and Erik Sayler.

14          **COMMISSIONER BRISÉ:** Thank you.

15          **MR. CAVROS:** Good afternoon, Commissioner.  
16          George Cavros appearing on behalf of Southern Alliance  
17          for Clean Energy in the 07 docket.

18          **COMMISSIONER BRISÉ:** Thank you.

19          **MR. WRIGHT:** Good afternoon. Robert Scheffel  
20          Wright with the Gardner Law Firm appearing on behalf of  
21          the Florida Retail Federation in the 001 docket, the  
22          fuel docket. I'd also like to enter an appearance for  
23          my law partner, John T. Lavia, III, in the 001 docket.  
24          Thank you.

25          **COMMISSIONER BRISÉ:** Thank you.

1           **MR. MOYLE:** Jon Moyle on behalf of the Florida  
2 Industrial Power Users Group, FIPUG. I'd like to enter  
3 an appearance in the 01, 02, and 07 docket for myself  
4 and also for Karen Putnal with our firm.

5           **COMMISSIONER BRISÉ:** Thank you. Staff.

6           **MS. DUVAL:** Margo Duval on behalf of  
7 Commission staff in the 02 and 07 dockets. And I'd like  
8 to enter appearances for Wesley Taylor in the 03  
9 docket, Stephanie Cuello in the 04 and 07 dockets,  
10 Suzanne Brownless and Danijela Janjic in the 01 docket,  
11 and Charles Murphy in the 07 docket.

12           **COMMISSIONER BRISÉ:** Thank you. So with that  
13 --

14           **MS. HELTON:** Did you want me to make an  
15 appearance?

16           **COMMISSIONER BRISÉ:** Oh, absolutely. Thank  
17 you.

18           **MS. HELTON:** Mary Anne Helton. I'm here as  
19 your advisor for all of the dockets. And I'd also like  
20 to make an appearance for our General Counsel, Keith  
21 Hetrick. Thank you.

22           **COMMISSIONER BRISÉ:** Thank you very much.  
23 Thank you for catching me there.

24           So the order of the dockets -- oh, I'm sorry.

25           **MS. SPARKMAN:** Sorry. If I may, I didn't have

1 a seat left, this is Paula Sparkman on behalf of Sebring  
2 Gas on the 04 docket. Thank you.

3 **COMMISSIONER BRISÉ:** Okay. Thank you. All  
4 right. Is that everyone? All right. It seems like it  
5 is.

6 \* \* \* \* \*

7 **COMMISSIONER BRISÉ:** And we will proceed to  
8 the 03 docket. All right. Mr. Taylor, are there any  
9 preliminary matters that we need to address before we  
10 get to the Draft Prehearing Order?

11 **MR. TAYLOR:** Yes, Commissioner. Staff would  
12 like to note for the record that Peoples Gas System and  
13 St. Joe's Natural Gas Company have been excused from the  
14 prehearing today. Staff would also like to note that  
15 proposed stipulations have been reached on all issues as  
16 they pertain to Peoples Gas and St. Joe's Natural Gas  
17 Company.

18 If stipulations can be reached in the next few  
19 days on issues pertaining to the remaining parties, the  
20 Prehearing Order will need to be modified to reflect  
21 those agreements. If such agreements are reached, the  
22 staff proposes to circulate an amended draft before an  
23 order is issued. Aside from that, there are no other  
24 preliminary issues that staff is aware of.

25 **COMMISSIONER BRISÉ:** Okay. Thank you. Are

1 there -- does any party have any other preliminary  
2 matter that we need to address? All right. Seeing  
3 none, so we'll go through the same process again of  
4 going through the Draft Prehearing Order for this  
5 docket. I'll go through the issues and sections  
6 quickly, and if you need to make corrections or changes,  
7 please let me know as we go through them.

8 Section I, case background.

9 Section II, conduct of proceedings.

10 Section III, jurisdiction.

11 Section IV, procedure for handling  
12 confidential information.

13 Section V, prefiled testimony and exhibits and  
14 witnesses.

15 Section VI, order of witnesses.

16 **MR. TAYLOR:** Yes, Commissioner. Staff is  
17 hopeful that all issues with all parties can be  
18 stipulated and witnesses can be excused in this docket,  
19 and staff will continue to work towards this.

20 **COMMISSIONER BRISÉ:** Thank you. Section VII,  
21 basic positions.

22 Okay. Section VIII, issues and positions.

23 **MR. TAYLOR:** Yes, Commissioner. Similar to  
24 the last docket, staff notes that the OEP requires that  
25 a party take a position at the Prehearing Conference



1 unless good cause is shown as to why the party cannot  
2 take a position at this time.

3 Accordingly, if a party's position in the  
4 Draft Prehearing Order is currently "No position at this  
5 time," that party must change its position or show good  
6 cause why it cannot take a position.

7 Staff would also suggest that parties who have  
8 not yet taken a position or wish to change their  
9 position be allowed to do so, so long as they submit  
10 their position in writing no later than close of  
11 business tomorrow, Thursday, October 12. Should a party  
12 fail to take a position by that time, the Prehearing  
13 Order will reflect "No position" for the party on those  
14 issues.

15 **COMMISSIONER BRISÉ:** All right. Thank you.  
16 Similarly to the last docket, just a reminder that "No  
17 position" also means no opportunity to cross-examine on  
18 that issue. Okay?

19 **MS. CHRISTENSEN:** OPC would like to announce  
20 that we're taking no position on the issues.

21 **COMMISSIONER BRISÉ:** Okay. Thank you.

22 Okay. Any other parties have a similar  
23 announcement?

24 Okay. Thank you. Just a reminder that you  
25 have till tomorrow, close of business, to state the

1 positions.

2 Section X, exhibit list -- I mean, Section IX,  
3 sorry, exhibit list.

4 **MR. TAYLOR:** Staff has prepared a  
5 Comprehensive Exhibit List which includes all prefiled  
6 exhibits, and staff will circulate the Comprehensive  
7 Exhibit List to the parties to determine if there are  
8 any objections prior to the hearing.

9 **COMMISSIONER BRISÉ:** Okay. Section  
10 X, proposed stipulations.

11 **MR. TAYLOR:** As I stated in the beginning,  
12 proposed stipulations have been reached on all issues as  
13 they pertain to Peoples Gas and St. Joe's Natural Gas  
14 Company. There are no other proposed stipulations at  
15 this time; however, staff will continue to work towards  
16 that end.

17 **COMMISSIONER BRISÉ:** Okay. Thank you.  
18 Section XI, pending motions.

19 **MR. TAYLOR:** There are no pending motions.

20 **COMMISSIONER BRISÉ:** Section XII, pending  
21 confidentiality motions.

22 **MR. TAYLOR:** There are no pending  
23 confidentiality motions.

24 **COMMISSIONER BRISÉ:** Okay. Section XIII,  
25 post-hearing procedures.

1           **MR. TAYLOR:** If issues are stipulated and  
2 parties agree to waive briefs, the Commission may make a  
3 bench decision for this portion of the docket. If there  
4 are any briefs or any issues to be briefed, staff  
5 recommends post-hearing briefs be no longer than 40  
6 pages.

7           **COMMISSIONER BRISÉ:** Okay. Are all parties in  
8 agreement? Okay. Seems like we are. Thank you.

9           **MR. TAYLOR:** And staff would note that briefs,  
10 should there be any, would be due on November 6th, 2017.

11           **COMMISSIONER BRISÉ:** Okay. Section XIV,  
12 rulings.

13           **MR. TAYLOR:** Staff would like to note that  
14 Peoples Gas System and St. Joe's Natural Gas Company's  
15 excusal from the hearing in this docket will be included  
16 in the Prehearing Order.

17           **COMMISSIONER BRISÉ:** Okay. Opening  
18 statements, if any, shall be limited to three minutes,  
19 unless parties choose to waive opening statements.  
20 Briefs shall be limited to 40 pages.

21           Are there any other matters to address in this  
22 prehearing?

23           **MR. TAYLOR:** There are no other matters to  
24 address.

25           **COMMISSIONER BRISÉ:** Okay. Parties, are there

1 any other matters?

2 Okay. Seeing none, thank you. So this  
3 concludes the prehearing in Docket 03.

4 (Prehearing adjourned at 1:52 p.m.)

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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 18th day of October, 2017.

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25  


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FPSC Official Hearings Reporter  
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