

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Peoples Gas System.	DOCKET NO. 20180044-GU
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Tampa Electric Company	DOCKET NO. 20180045-EI
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Power & Light Company	DOCKET NO. 20180046-EI
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Duke Energy Florida, LLC.	DOCKET NO. 20180047-EI
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Public Utilities Company-Electric	DOCKET NO. 20180048-EI
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 Florida Public Utilities Company - Gas	DOCKET NO. 20180051-GU
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Public Utilities Company - Indiantown Division	DOCKET NO. 20180052-GU
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Public Utilities Company - Fort Meade Division	DOCKET NO. 20180054-GU
In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Florida Public Utilities Company - Fort Meade Division.	DOCKET No. 20180054-GU

Filed: May 4, 2018

**ADDITIONAL COMMENT OF THE OFFICE OF PUBLIC COUNSEL**

The Citizens of the State of Florida, through the Office of Public Counsel (OPC), pursuant to the Order Requesting Additional Comment issued in the above-identified nine dockets, Order

No. PSC-2018-0224-PCO-PU (Comment Order), hereby submits this additional comment to its Motion for Emergency Hearing Concerning Scheduling and Discovery Procedures (Motion) filed on April 30, 2018, and states the following:

1. In its Motion, OPC specifically sought a hearing to discuss the scheduling and discovery procedures for all nine dockets identified above to facilitate a fair schedule for all parties. The Comment Order seeks suggested time frames from OPC.

2. OPC is unable to provide exact time frames in all nine dockets because it does not have access to the Florida Public Service Commission's (Commission) calendar. The Commission is responsible for the management of its calendar and the dockets pending before it. Moreover, there are nine parties, as well as at least one other intervenor, affected by any schedule implemented in these dockets and all parties deserve to be heard. Nonetheless, OPC has endeavored to provide the Commission with a scheduling proposal as set forth below.

3. As acknowledged in the Comment Order, Tampa Electric Company is the only company of the nine requiring a decision from the Commission by December 31, 2018. Accordingly, OPC proposes holding the hearing in Docket No. 20180045-EI, In re: Consideration of the tax impacts associated with Tax Cuts and Jobs Act of 2017 for Tampa Electric Company, on August 30-31, 2018. OPC notes that these two dates are already set aside and reserved within the hearing schedule provided by the Order Establishing Procedure in this docket issued April 25, 2018, and thus, should be workable for the Commission. OPC further suggests expanding the discovery response times for the Tampa Electric case currently provided in the Order Establishing Procedure. Specifically, for this docket, OPC is amenable to a symmetrical twenty-five (25) day time frame

to respond to discovery. Holding the hearing in the last two days of August will allow greater flexibility for expanded and symmetrical discovery response time for all parties and staff.

4. OPC sees no compelling reason to prevent the remaining eight hearings from being spread out from January 2019 through April 2019. In addition, there is no basis or urgency for shortening the discovery response time in these eight dockets from the presumptive, standard time provided by the Florida Rules of Civil Procedure. Accordingly, OPC requests and expects all parties to be given a full thirty (30) days to respond to discovery in accordance with Rules 1.340 and 1.350, Florida Rules of Civil Procedure.

5. Based on the current panel assignment, it appears that some Commissioners may have other obligations that necessitated scheduling the August Hearing with the same three-member panel in all nine of these dockets. If Commissioner availability is an issue, and two or three member panels are needed to accommodate the reasonable distribution of the hearings in 2019, the OPC is agreeable to this subject to other parties' input.

6. OPC proposes the Commission schedule a hearing presided over by a Commissioner with authority to set the schedule and commit to it for purposes of agreement among all parties within the next ten (10) days to discuss time frames and a potential schedule in these nine dockets.

7. A staggered or segregated hearing schedule, in these nine dockets, such as that proposed above, is fair to all parties and permits the Commission to render a fair, just and reasonable decision in all dockets.

WHEREFORE, OPC hereby respectfully submits its additional comment in accordance with the Comment Order to aid the Commission in its evaluation of OPC's Motion.

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## CERTIFICATE OF SERVICE

**I HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 4<sup>th</sup> day of May, 2018, to the following:

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