

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of:

DOCKET NO. 20180045-EI

CONSIDERATION OF THE TAX
IMPACTS ASSOCIATED WITH
TAX CUTS AND JOBS ACT OF
2017 FOR TAMPA ELECTRIC
COMPANY.

_____ /

PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONERS
PARTICIPATING: JULIE I. BROWN
PREHEARING OFFICER

DATE: Monday, August 6, 2018

TIME: Commenced: 1:30 p.m.
Concluded: 1:40 p.m.

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

REPORTED BY: DEBRA R. KRICK
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 APPEARANCES:

2 JAMES D. BEASLEY, ESQUIRE, Ausley & McMullen,
3 Post Office Box 391, Tallahassee, Florida 32302,
4 appearing on behalf of Tampa Electric Company.

5 J.R. KELLY, PUBLIC COUNSEL; CHARLES REHWINKEL,
6 DEPUTY PUBLIC COUNSEL; and VIRGINIA PONDER, ESQUIRE,
7 Office of Public Counsel, c/o the Florida Legislature,
8 111 W. Madison Street, Room 812, Tallahassee, Florida
9 32399-1400, appearing on behalf of the Citizens of the
10 State of Florida.

11 JON C. MOYLE, JR., ESQUIRE, Moyle Law Firm,
12 P.A., 118 North Gadsden Street, Tallahassee, Florida
13 32301, appearing on behalf of Florida Industrial Power
14 Users Group.

15 ROBERT SCHEFFEL WRIGHT and JOHN T. LaVIA,
16 III, ESQUIRES, Gardner Law Firm, 1300 Thomaswood Drive,
17 Tallahassee, Florida 32308, appearing on behalf of the
18 Florida Retail Federation.

19 SUZANNE BROWNLESS and RACHEL DZIECHCIARZ,
20 ESQUIRES, FPSC General Counsel's Office, 2540 Shumard
21 Oak Boulevard, Tallahassee, Florida 32399-0850,
22 appearing on behalf of the Florida Public Service
23 Commission Staff.

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1 APPEARANCES (CONTINUED):

2 KEITH HETRICK, GENERAL COUNSEL; MARY ANNE
3 HELTON, DEPUTY GENERAL COUNSEL; Florida Public Service
4 Commission, 2540 Shumard Oak Boulevard, Tallahassee,
5 Florida 32399-0850, Advisor to the Florida Public
6 Service Commission.

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

2 COMMISSIONER BROWN: Good afternoon, everyone.
3 I would like to welcome you all to this prehearing
4 and call it to order in Docket No. 20180045-EI.
5 And at this time, staff, can you please read the
6 notice?

7 MS. BROWNLESS: Yes, ma'am.

8 By notice issued on July 23rd, 2018, this time
9 and place has been set for a prehearing conference
10 in Docket No. 20180045-EI. The purpose of the
11 prehearing is set out more fully in the notice.

12 COMMISSIONER BROWN: Thank you, and I should
13 have stated that this is the TECO tax docket.

14 And at this time, we will take appearances
15 starting with Tampa Electric. Could you just push
16 your button, please?

17 MR. BEASLEY: Good afternoon, Commissioner. I
18 am Jim Beasley with the law firm of Ausley &
19 McMullen on behalf of Tampa Electric Company.

20 COMMISSIONER BROWN: Thank you.

21 Mr. Moyle.

22 MR. MOYLE: Good afternoon, Madam Chair. Jon
23 Moyle with the Moyle Law Firm on behalf of FIPUG,
24 the Florida Industrial Power Users Group. And
25 Karen Putnal would also be entering an appearance

1 for FIPUG.

2 COMMISSIONER BROWN: Thank you.

3 Ms. Ponder.

4 MS. PONDER: Hi. Good afternoon. Virginia
5 Ponder with the Office of Public Counsel. I would
6 also like to enter an appearance for Charles
7 Rehwinkel and J.R. Kelly, the Public Counsel.

8 COMMISSIONER BROWN: Thank you.

9 Mr. Wright.

10 MR. WRIGHT: Robert Scheffel Wright and John
11 T. LaVia, III, Gardner Law Firm on behalf of the
12 Florida Retail Federation.

13 Thank you.

14 COMMISSIONER BROWN: Thank you.

15 Staff.

16 MS. BROWNLESS: Suzanne Brownless, and I am
17 also entering -- on behalf of Commission staff, and
18 also entering an appearance for Rachel Dziechciarz.

19 MS. HELTON: Mary Anne Helton here as your
20 advisor. I would also like to enter an appearance
21 for your General Counsel, Keith Hetrick.

22 COMMISSIONER BROWN: Thank you.

23 All right. Staff, Ms. Brownless, are there
24 any preliminary matters that need to be addressed
25 at this time?

1 MS. BROWNLESS: Yes, ma'am.

2 At this time, it's my understanding the
3 parties have stipulated to all issues to the
4 insertion of the testimony of all witnesses into
5 the record, and to the admission of all exhibits as
6 listed on the CEL.

7 COMMISSIONER BROWN: Thank you.

8 Do any of the parties have any other
9 preliminary matters that need to be addressed?

10 Okay. Seeing none, we are going to go ahead
11 through the draft prehearing order. I will
12 identify the sections and please let me know if any
13 changes need to be made, and speak up clearly so
14 that the court reporter can note them.

15 Starting with Section I, Case Background. Any
16 objections?

17 Seeing none, Section II, Conduct of
18 Proceedings.

19 Seeing none, Section III, Jurisdiction.

20 Okay. So we will go ahead and move to Section
21 IV, which is the Procedure for Handling
22 Confidential Information. Staff.

23 MS. BROWNLESS: If you intend to use
24 confidential material at the hearing, please have
25 copies. At this time, since everyone has

1 stipulated to all of the exhibits, I don't think
2 this is going to be an issue, Madam Chair.

3 The -- I don't think, actually, that we have
4 any materials that have been identified in the
5 discovery that are confidential, so I think this
6 really is going to be a non-issue.

7 COMMISSIONER BROWN: Okay. Thank you.

8 We will move to Section V, which is the
9 Prefiled Testimony and Exhibits and Witnesses.

10 MS. BROWNLESS: The draft prehearing order
11 states that witnesses -- witness summaries are
12 limited to three minutes. Again, as all the
13 witnesses have been stipulated, witness summaries
14 will not be given.

15 COMMISSIONER BROWN: Thank you.

16 And then with regard to the order of
17 witnesses, Section VI.

18 MS. BROWNLESS: All the witnesses have been
19 stipulated at this time, and we will confirm with
20 each Commissioner that the identified witnesses can
21 be excused.

22 COMMISSIONER BROWN: Okay. Section VII, with
23 regard to Basic Positions, do any of the parties
24 have any changes to the basic positions? Seeing
25 none, all right.

1 If there are changes, though, please note that
2 they should be submitted to the Commission by close
3 of business on Wednesday, August 8th.

4 Section VIII is the Issues and Positions. And
5 do any of the parties have changes to any of the
6 issues or the positions through Issues 1 through 14
7 the way they are stated? Seeing none.

8 Again, if you do, close of business by
9 Wednesday, August 8th.

10 All right. Moving on to the Exhibit List,
11 Section IX. Staff.

12 MS. BROWNLESS: Yes, ma'am. We have prepared
13 a comprehensive exhibit list which lists all the
14 prefiled exhibits and those exhibits staff wishes
15 to include in the record. These have been
16 distributed to the parties, and we would like to
17 see if there is any changes that the parties would
18 like to make to the CEL at this time.

19 COMMISSIONER BROWN: Do any of parties have
20 changes to the exhibit list that staff has passed
21 out, or need time to review it? All right. I see
22 one no. I guess no?

23 MR. MOYLE: No changes.

24 COMMISSIONER BROWN: I am really looking at
25 you, Mr. Moyle. All right. No changes.

1 Okay. Moving on to Section X, the approved
2 proposed stipulations.

3 MS. BROWNLESS: The proposed stipulations have
4 been listed, and I guess we just need the parties
5 to confirm that these are correct as written.

6 COMMISSIONER BROWN: Okay. Everyone has a
7 copy, obviously, of the proposed stipulations. Do
8 you confirm that these are correct?

9 MR. BEASLEY: I do. Thank you.

10 COMMISSIONER BROWN: Thank you.

11 MS. PONDER: Yes, I do.

12 MR. WRIGHT: Yes.

13 MR. MOYLE: FIPUG is good with them.

14 COMMISSIONER BROWN: Thank you.

15 Okay. And it looks like under Section XI
16 there are no pending motions at this time, as well
17 as Section XII, no pending confidentiality motions,
18 so we will just skip to Section XIII, which is the
19 post-hearing procedures. Staff.

20 MS. BROWNLESS: We usually recommend that
21 post-hearing briefs be limited to 40 pages should
22 briefs be necessary. Due to the fact all issues
23 have been stipulated, a bench vote is appropriate
24 in this case.

25 COMMISSIONER BROWN: Okay. And we will take

1 that up on August 20th, Monday, when the hearing is
2 open up. Thank you.

3 All right. Section XIV.

4 MS. BROWNLESS: We recommend that a summary of
5 each position should be included in each
6 post-hearing statement. The briefs, if any, will
7 be due on September 21st, 2018; but again, we don't
8 anticipate there will be any briefs since
9 everything is stipulated.

10 Also that opening statements, statements, if
11 any, shall not exceed five minutes per party.

12 COMMISSIONER BROWN: Okay. Seeing no
13 objection to opening statements being five minutes,
14 are there any other matters at this time that need
15 to be addressed, Ms. Brownless?

16 MS. BROWNLESS: None of which I am aware.

17 COMMISSIONER BROWN: Do any of the other
18 parties have any matters that need to be addressed?

19 You all are so expedient. Thank you for your
20 time. We are adjourned in this docket. We are
21 going open up the next docket shortly.

22 (Whereupon, the proceedings concluded at 1:40
23 p.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA KRICK, 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 14th day of August, 2018.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #GG015952
EXPIRES JULY 27, 2020