

FLORIDA PUBLIC SERVICE COMMISSION

Item 2

VOTE SHEET

FILED 1/10/2024
DOCUMENT NO. 00135-2024
FPSC - COMMISSION CLERK

January 10, 2024

Docket No. 20230128-EU – Petition for declaratory statement regarding Rule 25-6.049, F.A.C., by 1150 WHG, LLC.

Issue 1: Should the Commission grant WHG’s Petition for Declaratory Statement?

Recommendation: No. The Commission should deny WHG’s Petition for Declaratory Statement and instead declare that WHG does not qualify for the grandfather exception under Rule 25-6.049, F.A.C., and that WHG must use individual metering on its property.

DEFERRED

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission votes to either grant or deny the Petition for Declaratory Statement, a final order will be issued and the docket should be closed.

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS’ SIGNATURES

MAJORITY

DISSENTING

REMARKS/DISSENTING COMMENTS: Approved deferral request, assigned DN 00132-2024, is attached.

Hiep Nguyen

From: Asha Maharaj-Lucas
Sent: Wednesday, January 10, 2024 9:42 AM
To: Braulio Baez; Mark Futrell; Apryl Lynn; Adam Teitzman; CLK - Agenda Staff; Keith Hetrick; Mary Anne Helton; Cindy Muir; Commissioners & Staffs; Susan Sapoznikoff; Corey Hampson; Caroline Dike; Patrick Kelley
Cc: Kate Hamrick; Jacqueline Moore; Nancy Harrison
Subject: Request for Change 20230128-EU
Attachments: RFC 20230128.pdf

Hello:

The attached Request for Change on Item 2 for the January 10, 2024 Agenda has been approved.

Best regards,
Asha Maharaj-Lucas
Executive Assistant to
Braulio L. Baez
Executive Director
Florida Public Service Commission
850-413-6053

REQUEST FOR CHANGE TO COMMISSION CONFERENCE

Request Date 1-9-24 Requested by 1150 WHG, LLC
 Conference Date 1-10-24 Item No 2 Docket No 20230128- EU Title Petition for Declaratory Statement by 1150 WHG, LLC

ACTION REQUESTED (see APM 2.11)

- Defer Item to Conference Scheduled for (date) 2-6-24
- Change Order of Item or Take Up at Time Certain (state reason) _____
- Withdraw Item
- Late Filed Recommendation (due no later than 3 p.m. on date approved for late filing). By noon on regular filing date, provide an electronic copy of the front page of recommendation to the Clerk, as a place-holder.
- File Revised Recommendation
- Add Item to Published Agenda (see s. 120.525, F.S.) – issue Addendum and provide Notice

Provide explanation: The petitioner, 1150 WHG, LLC, has requested a deferral of this item until the next agenda and waived the statutory deadline. The petitioner's request for deferral is attached.

SIGNATURES

Technical Shannon Hudson Director Elisabeth Draper
 Legal Carol Dine General Counsel Walter Keith Flechick

EXECUTIVE DIRECTOR

Approved Disapproved Signature [Signature] Date 1/10/2024

CHAIRMAN

Approved Disapproved Signature [Signature] Date 1/10/24

The Executive Suite will scan and email approved form to CLK, CLK-Agenda Staff, OPR Director, ED, DEA, DET, Docket Manager, General Counsel, Legal Services Director, CAO Director, Commissioners' offices, and assigned attorney.

REPLY TO:

CHRISTOPHER M. HORTON
Board Certified Construction Attorney
DIRECT DIAL 954 769 5324
cmhorton@smithcurrie.com

SMITHCURRIE

January 9, 2024

Via Electronic Filing and Email

Adam J. Teitzman
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: *Docket No. 20230128*: Petition for Declaratory Statement Regarding Rule 25-6.049,
F.A.C., by 1150 WHG, LLC

Dear Mr. Teitzman:

I represent 1150 WHG, LLC in the above referenced Petition for Declaratory Statement. Due to exigent personal circumstances, I request that the hearing on the Petition, scheduled for January 10, 2024, be deferred to the Commission's next agenda on February 6, 2024. 1150 WHG, LLC recognizes that the statutory deadline for the Commission to rule on this Petition is February 6, 2024 and agrees to grant the Commission a 20-day extension of time, from February 6, 2024 to February 26, 2024, for the Commission to issue a final order on the Petition.

Sincerely,



Christopher M. Horton

Cc: Keith Hetrick (kherrick@psc.state.fl.us)
Mary Anne Helton (mhelton@psc.state.fl.us)
Caroline Dike (cdike@psc.state.fl.us)
Malcolm Means (mmeans@ausley.com)

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