

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20240026-EI

Petition for rate increase by Tampa
Electric Company.

/ DOCKET NO. 20230139-EI

Petition for approval of 2023 depreciation
and dismantlement study, by Tampa
Electric Company.

/ DOCKET NO. 2023000-EI

Petition to implement 2024 generation base
rate adjustment provisions in paragraph 4
of the 2021 stipulation and settlement
agreement, by Tampa Electric Company.

PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 2

COMMISSIONERS
PARTICIPATING: CHAIRMAN MIKE LA ROSA
COMMISSIONER ART GRAHAM
COMMISSIONER GARY F. CLARK
COMMISSIONER ANDREW GILES FAY
COMMISSIONER GABRIELLA PASSIDOMO

DATE: Tuesday, May 6, 2025

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

REPORTED BY: DEBRA R. KRICK
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the State of Florida at Large

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

2 CHAIRMAN LA ROSA: All right. Now let's move
3 to Item No. 2, since Commissioner Clark is ready to
4 roll.

5 So I will allow folks to get into place and we
6 will discuss Item No. 2.

7 MS. HARPER: Good afternoon, Mr. Chairman and
8 Commissioners. Adria Harper on behalf of Office of
9 General Counsel.

10 Item 2 addresses OPC's motion for
11 reconsideration in the TECO rate case, that's
12 Docket Nos. 20240026-EI, 20230139-EI and
13 20230090-EI.

14 OPC requested oral argument on the motion.
15 Staff recommends that the pleadings are sufficient
16 on their face for the Commission to evaluate and,
17 thus, recommends that the Commission deny oral
18 argument.

19 As to the motion for reconsideration, staff
20 recommends that the motion be denied in regards to
21 its first three parts, but granted in regard to the
22 correction of those calculation errors identified
23 by OPC.

24 For OPC's motion for clarification, staff
25 recommends the Commission grant the part seeking

1 clarity regarding the descriptions of certain
2 mechanisms, and that the final order be revised to
3 include verification language as outlined in the
4 recommendation.

5 Staff is available to answer any questions.

6 CHAIRMAN LA ROSA: Thank you.

7 Commissioners, questions? Discussions, Item
8 No. 2?

9 Commissioner Fay, you are recognized.

10 COMMISSIONER FAY: Thank you, Mr. Chairman. I
11 guess, if appropriate, maybe just discuss Issue 1
12 first as to the oral argument component.

13 So, you know, when I looked at the
14 recommendation, I thought it was pretty thorough
15 for the most part. If appropriate, Mr. Chairman, I
16 would like to hear from the parties on the -- I
17 will sort of call it the fourth issue, but it's
18 basically in the recommendation on page seven, you
19 have -- the motion for reconsideration is listed
20 out there, and the fourth is the errors made in the
21 calculations for revenue requirement. So if
22 appropriate, maybe just have the parties talk about
23 that specific component, if you are open to
24 granting that.

25 I am not limiting it to that if other

1 Commissioners have other parts they want to
2 discuss, but --

3 CHAIRMAN LA ROSA: Okay. So specific parties
4 or OPC or TECO?

5 COMMISSIONER FAY: Either/or. I want to hear
6 from both of them.

7 CHAIRMAN LA ROSA: Commissioners, is there any
8 concern with doing that?

9 Okay. Can I hear, then, from a representative
10 from TECO, I see Mr. Wahlen coming up, and OPC, Mr.
11 Rehwinkel?

12 You let me choose the preference of order?

13 COMMISSIONER FAY: Your discretion, Mr.
14 Chairman.

15 CHAIRMAN LA ROSA: Thank you.

16 OPC, why don't we start with you, Mr.
17 Rehwinkel.

18 MR. REHWINKEL: I guess on the -- we are just
19 talking about the error issue, right?

20 Yes, the Public Counsel submitted that portion
21 of the motion because our practice, especially
22 recently, has been to go through and check the math
23 and make sure that what's voted out and what's in
24 the order squares up with the recommendation and
25 the record. And in doing so, I think we identified

1 a revenue requirement that was even greater than
2 what was recommended, but we thought that was fair,
3 and we think it's the right thing to do because we
4 hope that it creates a process in the future where,
5 if there are errors found that go the customers'
6 way, that there would be a process in place to
7 bring those to your attention and to correct them.

8 So our corrections went against the -- they
9 went the other direction, but we think that it's
10 the right thing to do, so that's why we did it.

11 Is that answering your question?

12 COMMISSIONER FAY: Yes.

13 CHAIRMAN LA ROSA: Mr. Wahlen.

14 MR. WAHLEN: Thank you, Commissioners. Jeff
15 Wahlen on behalf of Tampa Electric Company.

16 We agree with the staff recommendation.
17 That's not a surprise. And I guess we would
18 compliment the Office of Public Counsel for raising
19 the issues, and we support the clarification and
20 the error corrections in the staff recommendation.

21 CHAIRMAN LA ROSA: Thank you.

22 Commissioner Fay, is that satisfactory, or any
23 further questions?

24 COMMISSIONER FAY: No, Mr. Chairman. As far
25 as hearing from the parties, that's satisfactory.

1 I will have some comments maybe on this before we
2 vote on them, and I also just would ask, if
3 appropriate, maybe we would take up the specific
4 issues and vote on them, or however, if you want do
5 it as a bulk outside the oral argument, I am fine
6 taking it up like that.

7 CHAIRMAN LA ROSA: Okay. All right.
8 Excellent. And we will do that. We will take up
9 each issue so that we are clear.

10 Let me bring it back to the Commissioners.
11 Commissioners, are there any further questions of
12 staff or of the parties that have joined us?

13 Seeing none, let's go issue by issue, and
14 then, Commissioner Fay, I will recognize you.

15 COMMISSIONER FAY: Okay. Great. Thank you,
16 Mr. Chairman.

17 So just to start for Issue 2, the
18 reconsideration to be granted. First, you know, I
19 spent a lot of time on this. It's obviously a very
20 convoluted, complicated issue. I want to commend
21 OPC on bringing forward these errors. I think
22 probably the mentality typically is that what OPC
23 brings forward is targeted at bringing rates as low
24 as possible, but obviously, under these
25 circumstances, there is an attempt to make sure

1 that there is the highest level of accuracy and the
2 numbers align with what would be put forward in the
3 revenue requirement, which I do think probably does
4 benefit customers because you have less up and
5 down, and maybe some consistencies as to what those
6 numbers and that process looks like.

7 Mr. Chairman, I agree fundamentally with the
8 errors being corrected. The reason I spent so much
9 time on this is because when I went through it, I
10 thought it was clear within the rules as to what a
11 motion for reconsideration looks like, and the
12 legal threshold that is required, which is
13 obviously a very high one, but I wasn't familiar
14 with a motion for clarification, and I really
15 didn't see much of that in the rules. And so
16 without negating what was put forward, I really
17 wanted to take this up in the confines of a motion
18 for reconsideration, which the Commission has
19 historically done.

20 I will say that the error in the corrections
21 that are presented based on what staff looked at
22 and what they recommended made sense to me. I do
23 think, maybe unlike the clarification that is
24 provided on the storm reserve and is the AOM, this,
25 to me, does look like a mistake of fact. I think

1 when you look for what is put forward in the legal
2 standard, we have numbers that, as calculated,
3 ended up at one thing, and now are presented with
4 information where staff has looked at them to say
5 they can be improved, that there are corrections to
6 make them more accurate, which, to Mr. Rehwinkel's
7 point, could go up or down depending on how they
8 are recalculated or what's found.

9 So I think that's probably just a poor example
10 of a mistake of fact. It's not that anything was
11 intentionally done wrong, but it does meet that
12 legal standard. So I separate this, as the
13 recommendation does, out from a motion for clarity
14 as far as errors are concerned, and interpret it as
15 something that does meet that mistake of fact.

16 If appropriate, Mr. Chairman, I would like
17 maybe our legal just to opine on that process for
18 you and my colleagues to make sure that we are in
19 line with maybe what historically has been done by
20 the Commission, or how this would deep deviate from
21 that.

22 CHAIRMAN LA ROSA: Sure. If you didn't, I was
23 going to ask then, because you are -- I saw the
24 direction you were going. So let me go to
25 Ms. Harper and ask her for a legal opinion.

1 MS. HARPER: Okay. I think that what you
2 are -- what is being discussed is consistent with
3 the recommendation. We do have a motion for
4 clarification, which, as Commissioner Fay said,
5 isn't something that we do see commonly. However,
6 we have -- we also have -- so would have multiple
7 parts here. We have a reconsideration, and then we
8 have a clarification request tucked into it.

9 As to the motion for reconsideration regarding
10 approval of certain things, like the mechanisms and
11 the ROE determination, we are recommending, as
12 Commissioner Fay outlined, denying that, because we
13 think that there was no mistake of fact or law
14 there.

15 However, the motion portion about correcting
16 the identified errors OPC brought forward on
17 calculation -- the calculations of the revenue
18 requirement, we are suggesting that that part be
19 granted, and we do make those corrections, because
20 that's the right thing to do.

21 So while it's not common for us to see a
22 motion for correction, sometimes those things are
23 caught earlier, sooner rather than later, and maybe
24 we see them in the form of an oral modification for
25 you guys, we did feel that it was important to

1 acknowledge and make that correction.

2 CHAIRMAN LA ROSA: Thank you.

3 COMMISSIONER FAY: One thought follow-up.

4 CHAIRMAN LA ROSA: Sure, Commissioner Fay, go
5 ahead.

6 COMMISSIONER FAY: So for fear of that, that I
7 may overcomplicate it, it does seem like in the
8 recommendation that a component of that analysis of
9 the errors is -- falls into that clarification
10 category, and so just for purposes of what -- the
11 way I interpret it, Issue 2 would be inclusive --
12 like, Issue 2 can resolve that error issue.

13 So if we vote to support Issue 2 under the
14 motion for reconsideration, we would be voting for,
15 as the recommendation states on page seven, those
16 first three issues as laid out by OPC, but then
17 also on Issue 4, as to if we believe those
18 corrections should be made, my only concern, Ms.
19 Harper, is just that portion of the recommendation
20 basically utilizes the clarification process that's
21 been used historically to get there. And because
22 of my uncertainty to that within the rules and the
23 statutes, I believe that this error of fact -- this
24 mistake of fact in the calculation would be the
25 more appropriate mechanism to do so. So if I was

1 hypothetically proposing to accept Issue 2, I would
2 do so with the foundation that Issue 4 is granted
3 under the mistake of fact provision and not just a
4 broader clarification argument.

5 Does that make sense?

6 MS. HARPER: It does make sense. I think what
7 you are saying is you would like the order to
8 reflect as to the calculations of the errors only,
9 that portion, as to be granting the motion for
10 reconsideration in part, just to correct the
11 errors, finding that those errors are, in fact --
12 those mathematical errors are, in fact, mistakes of
13 fact.

14 COMMISSIONER FAY: Okay. Great. Yes, that is
15 exactly what I would be doing. And that is
16 somewhat of a deviation from what is put in Issue
17 2. The end result isn't that different, but just
18 the foundation and the analysis to get there was
19 something that I just -- I had trouble wrapping my
20 arms around, and I think this might put us in a
21 better posture to accept those.

22 Because I do think -- I mean, you could have
23 an oral modification, as Ms. Harper stated, where
24 it's done before you even have the decision. In
25 the ratemaking, obviously, we have the revenue

1 requirement and then we approve the tariffs. The
2 time in between that could allow for something like
3 OPC brought forward, which these changes are just
4 to try to improve accuracy. I commend them for
5 doing that, because then we have greater accuracy
6 as to those final numbers, and I think probably not
7 only the parties, but the courts and those who look
8 at our orders would appreciate that, insuring that
9 extra effort to make sure we get those numbers
10 right. I think that's very important.

11 They may not always be perfect, but these are
12 complex calculations, and I think when we have the
13 opportunity to do so, we can improve those. I
14 don't believe it necessarily has to be brought
15 forward by a party. I think sometimes our staff
16 review these things, and before the final order
17 comes out, if they see a miscalculation or an
18 error, I would support them bringing that forward
19 too, to make sure that we are as accurate as
20 possible.

21 I am not really sure that there is a
22 limitation to who or how it could be brought
23 forward, but I think in this example, it's just a
24 very, very good process of just improving what we
25 would put.

1 And so, Mr. Chairman, obviously, I am open to
2 hearing from my colleagues, but on Issue 2, I am
3 happy to present that, or I am happy to allow the
4 body to take up what's been put in the
5 recommendation for discussion.

6 CHAIRMAN LA ROSA: Commissioner Clark.

7 COMMISSIONER CLARK: I love it when the
8 lawyers get into it and leave the rest of us
9 confused.

10 If I understand what you are saying,
11 Commissioner Fay, and I -- again, I take will have
12 to take y'all's word for this, but what you are
13 saying is we got to do a partial reconsideration to
14 get the clarification, is that essentially what
15 this is? We are going to approve a reconsideration
16 strictly for the purpose of doing clarification, is
17 that essentially down in human words?

18 COMMISSIONER FAY: Mr. Chairman?

19 CHAIRMAN LA ROSA: Yeah, Commissioner Fay.

20 COMMISSIONER FAY: Thank you.

21 So not exactly, no.

22 COMMISSIONER CLARK: I thought I was right.

23 COMMISSIONER FAY: So I think philosophically,
24 the parties, the Commission, probably the courts in
25 general, everyone would agree we would want to put

1 out the best order that lends itself towards the
2 most accuracy when it comes to these numbers.

3 The reason I think this is such a good example
4 of that process is because you have the Public
5 Counsel bringing forward these corrections to
6 improve the accuracy that increases the revenue
7 requirement, right. It's not even something
8 arguably that would decrease what a final revenue
9 requirement and those fees would cause. But I do
10 think that when you look at past orders of the
11 Commission, and when they have applied
12 clarification, what they are essentially doing is
13 taking a process that's not in rule and applying it
14 to reconsideration. And my concern and belief is
15 that that extension goes a little too far.

16 And so if we are going to take it up within
17 the motion that was provided by OPC, I
18 philosophically agree with the conclusion, and I
19 support that. I just think that the motion for
20 reconsideration, which provides very specific
21 requirements, is structured in rule, we have a
22 legal standard and precedent that I think is very
23 clear, that allows us to, under predictable
24 structure, which includes process for everyone,
25 every party involved, the Commission, gets us to

1 that same end result, it's that motion for
2 reconsideration that gives us that legal process to
3 get to that goal.

4 We have seen these before, where it's such a
5 heightened standard, it's so hard to review the
6 record and get, like, a very clear determination as
7 to how that would be changed. This, I think, is an
8 example where, for me, when I read it, it was
9 pretty clear that the numbers that we based the
10 previous decision on for revenue requirement could
11 be improved.

12 Is that helpful, or does that confuse it even
13 more?

14 COMMISSIONER CLARK: It's worse.

15 COMMISSIONER FAY: Yeah, and by the way, the
16 lawyers aren't involved in this. I am only, like,
17 over here arguing with myself.

18 COMMISSIONER CLARK: I gotcha.

19 I guess the question is we -- however you guys
20 tell us we can get there, I agree, we need to make
21 the modification. Whatever we need to do to make
22 the modification, I am good with if y'all can agree
23 on how we get there, I am good with that.

24 COMMISSIONER FAY: You are good with
25 correcting the error I guess?

1 CHAIRMAN LA ROSA: Yeah. Absolutely. Yes.

2 COMMISSIONER FAY: Okay.

3 CHAIRMAN LA ROSA: So I guess here's my
4 thought, and I agree with correcting the errors, no
5 questions about that, but does this create the new
6 threshold, right? So if the dollar amount was any
7 different, if it was lower, would that make --
8 would that be a different legal argument?

9 COMMISSIONER FAY: Yeah, so my interpretation
10 of that would be like, probably if the number is
11 material, so I think the way these are calculated
12 you have got three that are example of rounding
13 errors and then three that are essentially
14 determined as, you know, calculations that were
15 just not fully -- fully accurate. For both of
16 those, I mean, when you apply all those changes,
17 you are at a \$1.1 million revenue requirement
18 change.

19 I think if the Commission, either brought by
20 the parties or within its own review before putting
21 out these final orders, makes a determination that
22 a number like that is wrong, we obviously, if it's
23 a small number in oral argument, might be a much
24 more efficient process, the parties probably would
25 agree with that, and that makes sense. But when it

1 starts adding up like this, I think, you know, this
2 is probably the better process to have that
3 determination made.

4 So I would argue -- it's hard to get these
5 numbers perfect. There are thousands of lines of
6 accounting calculations that are determined, and so
7 to realistically think that somebody, as an expert,
8 wouldn't look at these and maybe find something
9 that was rounded differently is probably very
10 unrealistic. It's going to happen. But I think
11 when it's presented to us in this format, or maybe
12 even presented to us by technical staff to say,
13 hey, this is the way we calculated this but we
14 think it could be improved from an accuracy
15 perspective, I think we should give high weight to
16 that and make a determination.

17 It doesn't mean we are always going to agree
18 with it. We may not agree with the analysis. But
19 if we do, we are just improving the product that
20 goes out for accuracy purposes. Because I think,
21 from a ratemaking perspective, you are always going
22 to have debate as to how fundamentally ratemaking
23 should apply, but the goal of minimizing the up and
24 down and the fluctuation for customers, no matter
25 what that looks like, is typically a positive

1 thing.

2 So when you take the revenue requirement and
3 you make the adjustments on the front end, and not
4 on the back end when those numbers don't align, I
5 think it's better. I really do. And so that's why
6 I think maybe this number, you know, is material to
7 some and not to others.

8 I certainly think it's a number worth
9 changing, but I just don't want you to perceive my
10 position on that to mean that even if it was a
11 smaller number, we wouldn't need to take it up. I
12 still think even as a smaller number that's
13 presented, it would be worthwhile for our staff to
14 look at.

15 If it's presented on the day before we sit
16 here and make a determination on final rates, then,
17 no, it's not going to give them time to make an
18 analysis if those calculations were actually wrong
19 in the way that it's presented. But if they have
20 time, and they are able to present it to us for us
21 to make that determination, then I really think the
22 recommendation was spot on, in that, we shouldn't
23 more it. We should take it seriously and try to
24 get the best final calculation end product that we
25 could get.

1 CHAIRMAN LA ROSA: All right. That's why I
2 was asking. That's -- thank you, and I agree with
3 you.

4 Let's bring it back -- let's keep it here with
5 us.

6 Commissioners, any other thoughts? And we
7 have kind of jumped around a little bit on the
8 issue, so I want to make sure just to make sure we
9 understand the posture we are in. We haven't
10 approved any issue yet.

11 Is there any further discussion on any -- any
12 other issue here? And going -- let me go back to
13 my legal staff.

14 MS. HELTON: Well, guess I would just say --
15 and I appreciate the discussion, but I think the
16 question before you today is whether the OPC's
17 motion for reconsideration should be granted. And
18 I understand the discussion today.

19 I think with respect to the first three points
20 raised, that you all are in agreement that -- it
21 appears that you all are in agreement that the
22 motion for reconsideration should be denied, but
23 with respect to the fourth point, in the errors
24 raised in the calculations, staff recommends that
25 the motion for reconsideration should be granted.

1 And I think that's one way to resolve it and to
2 match up to what Commissioner Fay is wishing to do
3 as well, if I understand his arguments correctly.

4 CHAIRMAN LA ROSA: Okay.

5 COMMISSIONER FAY: Yeah, that's -- that's
6 accurate, just recognizing that Issue 3, I also
7 have some comments on, and would be distinguished
8 from taking both of those up at the same time --

9 MS. HELTON: Right. Right. I was talking
10 just about Issue 2.

11 COMMISSIONER FAY: Perfect. Okay.

12 And so, Mr. Chairman, we could vote out Issue
13 2 if you want. My comments on Issue 3 I don't
14 think will impact the fundamental decision of Issue
15 2, so however you want to wait and take them both
16 up, or you want to take Issue 2 up now, I am happy
17 to do it either way.

18 CHAIRMAN LA ROSA: Yeah. Let's -- if there is
19 no further discussion, then let's take up Issue 2
20 now, and then let's get to 3 just for clarity sake.

21 COMMISSIONER FAY: Okay. Great.

22 So then, Mr. Chairman, as stated by Ms.
23 Helton, so I would move for approval of staff
24 recommendation on Issue 2, just with the
25 clarification, as stated, it falls within the

1 motion for reconsideration process and met that
2 threshold.

3 CHAIRMAN LA ROSA: Okay.

4 COMMISSIONER FAY: Is that sufficient, Ms.
5 Helton?

6 MS. HELTON: Yes, sir, I think so.

7 COMMISSIONER FAY: Okay.

8 CHAIRMAN LA ROSA: All right. So that's a
9 motion on Issue 2.

10 COMMISSIONER GRAHAM: Second.

11 CHAIRMAN LA ROSA: And hearing a second.

12 All those in favor signify by saying yay.

13 (Chorus of yays.)

14 CHAIRMAN LA ROSA: Yay.

15 Opposed no?

16 (No response.)

17 CHAIRMAN LA ROSA: All right. Show that Issue
18 2 is approved according to the clarifications and
19 modifications that have just been discussed.

20 Now let's move to Issue No. 3.

21 COMMISSIONER CLARK: Did we skip 1? We didn't
22 vote on 1.

23 CHAIRMAN LA ROSA: We have not voted on 1.

24 Let me go back to --

25 COMMISSIONER FAY: Mr. Chairman, when you

1 granted oral argument, I thought it was sufficient
2 at the time, but we can -- we can vote formally
3 if -- they have kind of already done it.

4 CHAIRMAN LA ROSA: Yeah, we cleared is it out.
5 We will come back and clean up on 1. Let's go to
6 Issue 3.

7 COMMISSIONER FAY: Okay. Ready, Mr. Chairman?

8 CHAIRMAN LA ROSA: Yeah, I am ready when you
9 are.

10 COMMISSIONER FAY: Okay. Great.

11 So for Issue 3, I guess just starting on page
12 19 there, the second paragraph, there is basically
13 a staff analysis that talks about the clarification
14 process, and it uses this Diamond Cab Company of
15 Miami versus King standard for applying this
16 clarification.

17 So that fell sort in a similar category for me
18 as some of the error analysis did, in that, that
19 clarification process that is not articulated
20 necessarily in the rules is something that
21 initially I had some discomfort with.

22 With that said, when you look at a lot of the
23 case law and, you know, even rulings from the
24 Supreme Court, you see this constant validation for
25 agencies, especially in a quasi-judicial posture,

1 to make changes of clarity up until the final point
2 of the final order going out with the tariffs
3 included for our rate case.

4 So for this, I do believe that we can make
5 these changes. And I think honestly, these changes
6 should probably be supported, to a certain degree,
7 all the way up to the end of the process. But what
8 I found important was just that this clarity,
9 although it may not seem material on its face
10 because we already have a -- we already have
11 language that identifies both of these mechanisms
12 and how they operate. I think just, once again,
13 improves the order that's being presented.

14 So I don't want us just to perceive this as a
15 motion that initiated an analysis for us to make
16 those changes. I think when our staff realizes
17 that it's something this complex -- which, by the
18 way, I am sure we all -- when we all read this, it
19 is -- both of those mechanisms are very
20 complicated. The clarity to them, I think,
21 actually is beneficial to not just the parties, but
22 anybody who reviews our decision.

23 So I know it makes these things a little bit
24 more complicated, but once again, I commend OPC for
25 putting this in their filing, because I think it

1 ends up with a better product for all the parties
2 and for anyone who reviews our decision, and I
3 think it's fully within our authority.

4 Once again, there is no clear procedural
5 mechanism for this motion of clarity, but most of
6 the case law and precedent that the Commission has
7 used have showed, all the way up to this final
8 order being completed, we have the ability to do
9 that.

10 So I will support this clarification as
11 presented. I appreciate OPC and our staff for
12 working on it, because it is extra work, and they
13 could have just put the order out as is, but I
14 think it will just better our process.

15 CHAIRMAN LA ROSA: And I agree. As I read it,
16 it not just emphasized, but it maybe strengthened
17 my position as I read how they further clarified,
18 so I am fully supportive, and for a lot of same
19 reasons that you just mentioned.

20 Commissioners, are there any further questions
21 or thoughts on Issue No. 3?

22 Seeing none, I am going to just look to my
23 Advisor, is it okay to take up Issue 3 as is?

24 MS. HELTON: Yes, sir, I think so.

25 CHAIRMAN LA ROSA: All right. Excellent. So

1 I am open for a motion. Fay.

2 COMMISSIONER FAY: Mr. Chairman, I am slightly
3 disappointed I didn't confuse Commissioner Clark on
4 this one.

5 COMMISSIONER CLARK: He is still confused.

6 CHAIRMAN LA ROSA: He didn't say he was, but I
7 didn't look over his direction.

8 COMMISSIONER FAY: With that said, Mr.
9 Chairman, I would move for approval of staff's
10 recommendation on Issue 3 with the same caveat that
11 the procedural process and what authority is
12 allowed may vary slightly, but the approval of that
13 item as staff recommends it.

14 CHAIRMAN LA ROSA: Okay. Hearing a motion, is
15 there a second?

16 COMMISSIONER GRAHAM: Second.

17 CHAIRMAN LA ROSA: Hearing a motion and a
18 second.

19 All those in favor signify by saying yay.

20 (Chorus of yays.)

21 CHAIRMAN LA ROSA: Yay.

22 Opposed no?

23 (No response.)

24 CHAIRMAN LA ROSA: Show that Issue 3 passes as
25 motioned by Commissioner Fay.

1 So do I need to go back to -- going back to my
2 Advisor. Do I need to go back to Item, or Issue 1?
3 I think we heard arguments like Commissioner Fay
4 had suggested. I don't know that that's an issue
5 that we have to vote one.

6 MS. HELTON: I think you de facto made your
7 ruling with respect to Issue 1, you heard limited
8 oral argument with respect to the modifications
9 with respect to the numbers, and so I think you
10 have granted it in part and denied it in part, in
11 effect.

12 CHAIRMAN LA ROSA: So, no, I don't need to
13 take a vote on it?

14 All right. So then let's move, then, what's
15 open is Issue No. 4.

16 COMMISSIONER FAY: Yeah, move staff
17 recommendation on Issue No. 4.

18 COMMISSIONER GRAHAM: Second.

19 CHAIRMAN LA ROSA: Hearing a first -- hearing
20 a motion and hearing a second.

21 All those in favor signify by saying yay.

22 (Chorus of yays.)

23 CHAIRMAN LA ROSA: Yay.

24 Opposed no?

25 (No response.)

1 CHAIRMAN LA ROSA: All right. Show that Item
2 No. 4 passes.

3 MR. REHWINKEL: Thank you, Commissioners,
4 thank you very much.

5 MR. WAHLEN: Thank you.

6 CHAIRMAN LA ROSA: Thank you, guys.

7 (Agenda item concluded.)

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1 CERTIFICATE OF REPORTER

2 STATE OF FLORIDA)
3 COUNTY OF LEON)
4

5 I, DEBRA KRICK, Court Reporter, do hereby
6 certify that the foregoing proceeding was heard at the
7 time and place herein 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 20th day of May, 2025.
19

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21



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DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #HH575054
EXPIRES AUGUST 13, 2028

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