

1 APPEARANCES:

2 **ROY C. YOUNG**, Young, van Assenderp and
3 Varnadoe, P. A., 225 South Adams Street, Suite 200,
4 Tallahassee, Florida 32301, appearing on behalf of
5 **Orlando Utilities Commission (OUC)**.

6 **WILLIAM COCHRAN KEATING**, Florida Public
7 Service Commission, 2540 Shumard Oak Boulevard,
8 Tallahassee, Florida 32399-0850, appearing on behalf
9 of the **Commission Staff (Staff)**.

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P R O C E E D I N G S

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COMMISSIONER CLARK: All right. Then let's move on to Docket 990721.

MR. KEATING: Commissioner Clark, if we could take up 990722 next and save 721 for last.

COMMISSIONER CLARK: That's fine. Are there any changes to this prehearing order?

MR. YOUNG: No, ma'am.

MR. KEATING: Staff has none.

COMMISSIONER CLARK: All right. Mr. Young and Mr. Wedner, I think we have completed the two dockets that you are concerned with, and if you want to be excused from this prehearing at this time it's fine with me.

MR. YOUNG: Thank you, Commissioner.

MR. WEDNER: We would have no objection in ours to submitting a proposed agreed order with Mr. Keating for the Commission's consideration proffering the testimony and exhibits as already presented into the record, if there needs to be a record, and then a proposed consent order to close it out.

COMMISSIONER CLARK: Well, it would seem beneficial to me to avoid anyone having to travel here if it is just going to be perfunctory. I know Mr. Young is in town, but still, I think that would be preferable.

MR. YOUNG: If I could, Commissioner Clark, our

1 concern in the past, and I have been involved with a
2 couple that were need cases, was that we were concerned
3 that one or the other Commissioners might have a question
4 that we don't anticipate, and we would not have the proper
5 person here to respond to it. And I guess it was at least
6 one issue relative to whether somebody could show up at
7 the last minute and attempt --

8 COMMISSIONER CLARK: Oh, a member of the public?

9 MR. YOUNG: Attempt to say something or do
10 something. And just in an abundance of caution we decided
11 that the best thing to do was the way that Mr. Keating had
12 outlined. I'm not objecting, I'm just making a comment.

13 COMMISSIONER CLARK: Well, I guess that is
14 important to keep in mind. If there is an opportunity for
15 public comment, then we probably do have to convene the
16 hearing.

17 MR. KEATING: There may be a difference in these
18 goals dockets and the need determination proceedings. In
19 the need determination proceedings I know that our notices
20 provide for public comment, if any, at the start of the
21 hearing that is scheduled. In this case, I don't believe
22 that our notices require that. I don't think that the
23 statutes or our rules require that, either.

24 COMMISSIONER CLARK: Well, if you will just look
25 at it and see the best way to handle it, I would

1 appreciate it.

2 MR. KEATING: I will.

3 COMMISSIONER CLARK: Thank you all very much.

4 (The prehearing conference concluded at 9:45 a.m.)

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1 STATE OF FLORIDA)
2 : CERTIFICATE OF REPORTER
3 COUNTY OF LEON)

4 I, JANE FAUROT, RPR, Chief, FPSC Bureau of
5 Reporting FPSC Commission Reporter,

6 DO HEREBY CERTIFY that the Prehearing
7 Conference in Docket No. 990722-EG was heard by the
8 Florida Public Service Commission at the time and
9 place herein stated; it is further

10 CERTIFIED that I stenographically reported
11 the said proceedings; that the same has been
12 transcribed by me; and that this transcript,
13 consisting of 5 pages, constitutes a true
14 transcription of my notes of said proceedings.

15 DATED this 31st DAY OF JANUARY, 2000.

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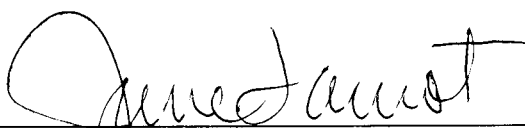
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JANE FAUROT, RPR
FPSC Division of Records & Reporting
Chief, Bureau of Reporting