

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of:

DOCKET NO. 20180188-EI

PETITION FOR A TEMPORARY
WAIVER OF APPLICATION OF
RULE 25-6.100, F.A.C., BY
DUKE ENERGY FLORIDA, LLC.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 3

COMMISSIONERS
PARTICIPATING: CHAIRMAN ART GRAHAM
COMMISSIONER JULIE I. BROWN
COMMISSIONER DONALD J. POLMANN
COMMISSIONER GARY F. CLARK
COMMISSIONER ANDREW G. FAY

DATE: Tuesday, October 30, 2018

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

REPORTED BY: ANDREA KOMARIDIS
Court Reporter and
Notary Public in and for
the State of Florida at Large

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

2 CHAIRMAN GRAHAM: Okay. Let's circle around
3 to Item No. 3.
4 Staff.

5 MS. COWDERY: Good morning, Commissioners.
6 I'm Kathryn Cowdery with the Office of General
7 Counsel.

8 Chairman Graham, did you want to hear Items 3
9 and 3A together?

10 CHAIRMAN GRAHAM: Yes, ma'am.

11 MS. COWDERY: Those two items are petitions by
12 Duke Energy Florida and Florida Public Utilities
13 Company, respectively, for a temporary waiver of
14 the monthly billing requirement in the customer
15 billing rule until such time as restoration efforts
16 in response to Hurricane Michael are completed.
17 Staff recommends that both petitions be granted.

18 Representatives from both utilities are
19 available to answer any questions the Commission
20 may have, and staff is available for questions.

21 CHAIRMAN GRAHAM: Thank you, staff.

22 Commissioners, any questions, comments, or
23 concerns about Items 3 or 3A?

24 Commissioner Brown?

25 COMMISSIONER BROWN: I just have a comment.

1 And I know we mentioned this yesterday at our ten-
2 year site plan workshop but, you know, the
3 replacement and rebuilding of widespread
4 infrastructure has just been a massive endeavor of
5 Gulf, Duke, the co-ops, the munis, and they've done
6 such a tremendous job. And I wanted to acknowledge
7 this and also say what a tremendous community that
8 we have in our State to have such a -- rallying
9 around and -- of the support of the industry.

10 It's just been amazing, and appreciate all the
11 help of our political leaders, the utility
12 executives, and everyone on the -- on the ground,
13 especially the linemen who are risking their lives
14 so that others can have power and their lives back
15 to normalcy.

16 But I also wanted to thank our staff who's
17 been working in the EOC around the clock, 24 hours
18 a day, and thank them so much for all the work that
19 you're doing and providing the reports and the
20 filings. So, thank you.

21 And with that, I would move approval of
22 Items 3 and 3A.

23 CHAIRMAN GRAHAM: It's been moved and
24 seconded, the approval of Items 3 and 3A.

25 Commissioner Polmann.

1 COMMISSIONER POLMANN: Thank you,
2 Mr. Chairman.

3 I appreciate Commissioner Brown's comments.
4 In fact, she said everything I wanted to say. I
5 would reflect her comments as well, and second the
6 item.

7 I have no further comments, Mr. Chairman.
8 Thank you.

9 CHAIRMAN GRAHAM: Thank you, Commissioners.

10 I also want to thank both Duke and FPUC for
11 waiving these billings. I -- I -- it is a big time
12 of confusion for a lot, and it's kind of hard to
13 send a bill to someone that doesn't have a mailbox.

14 So, I do appreciate -- it's the right thing to
15 do. And that all being said, I'm ready for a vote.
16 All in favor, say aye.

17 (Chorus of ayes.)

18 CHAIRMAN GRAHAM: Any opposed?

19 By your action, you have approved staff
20 recommendations on Item 3 and Item 3A.

21 We'll have a -- we have a message from our
22 general counsel.

23 Keith?

24 MR. HETRICK: Thank you, Mr. Chair.

25 Item 3A that you just took up was actually

1 assigned to Rosanne Gervasi. And I would like to
2 let the Commission know at this time that Rosanne
3 is retiring, and this will be her last agenda
4 conference meeting.

5 It's sad and exciting for her at the same
6 time. I -- if you don't mind, I'd like to say a
7 few words about her, as she has been here almost 25
8 years, nearly her entire legal career.

9 She graduated FSU and came to the Commission
10 on July 1st, 1994. And she has been a rock-solid
11 foundation of our legal staff throughout many
12 general counsels. I'm sure that other general
13 counsels would have even more to say about her than
14 I do, but I do know some things about Rosanne and
15 have had the pleasure to experience her expertise
16 and her uplifting personality throughout my brief
17 tenure here as your general counsel.

18 I could tell you that when she started out in
19 GCL -- and I know this because I -- she rewrote it
20 since I've been here -- she wrote GCA's first
21 primer on objections in preparation for the largest
22 water and wastewater rate case in the Commission's
23 history. And we use that today.

24 She's fluent in Spanish and has used this
25 skill set to foster the Commission's interactions

1 with international regulatory agencies as well as
2 Spanish-speaking customers at Florida utilities.

3 She was the first attorney in the Commission
4 to ever sit on the process-review team. Because of
5 her skill set and willingness to take on difficult
6 issues, large and complex cases have gravitated
7 Rosanne's way since she started here at the
8 Commission. She started her career working on many
9 complex and difficult water and wastewater dockets,
10 such as the Southern States rate case and the Aloha
11 certificate-revocation docket.

12 She's leaving us with a broad understanding of
13 the Commission's authority over all industries
14 regulated by the Commission. She's appeared
15 regularly and -- and this is notable -- before the
16 First District Court of Appeal and the Florida
17 Supreme Court representing the Commission in
18 electric, telecom, and water appeals.

19 She's covered the gamut and, throughout all of
20 it, she's been unflappable and her calm demeanor
21 inspires confidence. Her presence at the Court, if
22 you have ever seen her, is transformative. She's a
23 large part of the reason that the Florida Public
24 Service Commission's excellent reputation in those
25 appellate forums is universally understood and

1 accepted and recognized by the courts.

2 Mary Anne reminded me and -- and -- of some of
3 the skill sets that she has. And these aren't just
4 skill sets. She's probably been -- and we have
5 wonderful attorneys throughout the history of the
6 PSC, but probably our outstanding researcher of all
7 time, one of our outstanding writers of all time,
8 one of our outstanding communicators, and one of
9 our outstanding teachers of all time.

10 And for that reason, she's going to be
11 immensely missed. We wish her the best and hope
12 that she will have, now, much more time to spend at
13 her cottage, which I understand is still standing,
14 in Apalachicola. And she'll be playing with her
15 dogs and sharing her gift of song and, I'm sure,
16 checking in on us, and she will be at our holiday
17 events.

18 So, Rosanne, congratulations. We're going to
19 miss you.

20 (Applause.)

21 CHAIRMAN GRAHAM: Rosanne, it's going to be
22 difficult -- it's going to be difficult moving
23 forward without you. You've -- one of things I
24 brag about quite a bit in the Public Service
25 Commission -- one of the many things I brag about

1 is our -- our legal record.

2 You know, we get challenged all the time. We
3 go before the appellate court, the Supreme Court
4 all the time. And I want to say, since I've been
5 here, our winning record is, like, 99.8 percent.
6 And I think you're a big part of that. That's --
7 that is no small feat. And it's always good to
8 have you there, your research skills.

9 You're making sure -- even though I -- I'm one
10 of those people that push back quite a bit because
11 I may not agree with you, you keep us in the legal
12 standing, and that's what we need.

13 And -- and we will miss you.

14 And Keith, I have a question for you. Now, I
15 know the Legislature has changed the law. Is it a
16 year or two years before we can bring her back to
17 consult for us?

18 MR. HETRICK: You can always come back,
19 Rosanne.

20 MS. GERVASI: Thank you all very much. I will
21 love and miss all of you.

22 CHAIRMAN GRAHAM: Be safe and enjoy your time
23 away. Thanks.

24 (Agenda item concluded.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, ANDREA KOMARIDIS, Court Reporter, do hereby
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IT IS FURTHER CERTIFIED that I
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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 8th day of November, 2018.



ANDREA KOMARIDIS
NOTARY PUBLIC
COMMISSION #GG060963
EXPIRES February 9, 2021