

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of:

DOCKET NO. 20180154-GU

PETITION FOR LIMITED
PROCEEDING TO CONSIDER THE
TAX IMPACTS ASSOCIATED
WITH THE TAX CUTS AND JOBS
ACT OF 2017 FOR FLORIDA
CITY GAS.

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PROCEEDINGS: COMMISSION CONFERENCE AGENDA
ITEM NO. 18

COMMISSIONERS
PARTICIPATING: CHAIRMAN ART GRAHAM
COMMISSIONER JULIE I. BROWN
COMMISSIONER GARY F. CLARK

DATE: Tuesday, December 11, 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

PREMIER REPORTING
114 W. 5TH AVENUE
TALLAHASSEE, FLORIDA
(850) 894-0828

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

2 CHAIRMAN GRAHAM: And Item No. 18, staff.

3 MR. CICCHETTI: Mr. Chairman, Commissioners,
4 Item No. 17 is a settlement in lieu of hearing
5 for --

6 CHAIRMAN GRAHAM: Item 18?

7 MR. CICCHETTI: Item 18 is a settlement in
8 lieu of hearing for the tax issues associated with
9 the Tax Cuts and Jobs Act of 2017 for Florida City
10 Gas. The parties are here to address the
11 Commission. Staff is available for questions. And
12 the settlement is ripe for a vote this morning, if
13 the Commission so desires.

14 CHAIRMAN GRAHAM: Okay. Ms. Keating.

15 MS. KEATING: Good afternoon, again,
16 Commissioners. Beth Keating with the Gunster Law
17 Firm here today for Florida City Gas. And with me
18 is Keith Ferguson, the controller for FCG.

19 Again, on behalf of the company, we'd like to
20 express our appreciation to OPC and FEA for working
21 with us. This was a challenging issue, given that
22 the tax changes went into effect while the company
23 was in the middle of a full rate proceeding. And
24 we appreciate that everyone involved worked hard on
25 this and took a very professional approach that

1 enabled us to tie up the final loose ends as it
2 related to the company's tax savings.

3 We thank you and your staff as well for
4 working to bring this matter before you, before the
5 year's end. And Commissioners, if it's possible
6 for a settlement to be even more straightforward
7 than the one we just discussed, this may be it.

8 Your staff has provided another very accurate
9 summary on Page 2 of the recommendation. It's a
10 good settlement that resolves all the remaining
11 issues in this case, while enabling the company to
12 flow back 1.6 million in reclassified excess
13 deferred income taxes to customers via a credit to
14 the PGA and a base-rate reduction, but the credit
15 and the rate reduction will be implemented
16 January 1, 2019, if you approve this settlement.

17 Commissioner, this settlement benefits both
18 the company and its customers. As such, we
19 respectfully ask that you approve it as being in
20 the public interest. Thank you.

21 CHAIRMAN GRAHAM: Ms. Ponder.

22 MS. PONDER: Good after- -- afternoon, again.
23 Virginia Ponder, Patti Christensen, and J.R. Kelly,
24 the Public Counsel, on behalf of the citizens, with
25 the Office of the Public Counsel.

1 We would like to thank Florida City Gas for
2 its cooperation and working together to reach a
3 settlement of this matter, also, staff in getting
4 this on the agenda before year-end.

5 The provisions of this 2018 AEDIT agreement
6 represent a reasonable compromise of the parties'
7 positions. The agreed disposition of the funds
8 that are provided by and belong to the customers
9 are being made with the express consent and
10 agreement of the customers.

11 This is fully consistent with the way the
12 customer monies have been handled for Tampa
13 Electric, Peoples Gas, Duke, and Gulf Power. We
14 believe the 2018 AEDIT agreement in its entirety is
15 in the public interest, and in the best interest of
16 customers and the company, given the facts,
17 circumstances, and posture of this particular case.

18 We thank you for your consideration today and
19 respectfully request you approve this settlement in
20 its entirety.

21 We are available to answer any questions.

22 Thank you.

23 CHAIRMAN GRAHAM: Thank you, Ms. Ponder.

24 And I assume you are Major Unsicker. And I
25 apologize if I butcher your last name.

1 MAJOR UNSICKER: No, you got it right, sir.
2 Thank you very much. And thank you, Commissioners.
3 Major Unsicker on behalf of the Federal Executive
4 Agencies here to support this agreement.
5 Appreciate all counsels' cooperation and coming to
6 a fair resolution of this. Appreciate it. Thank
7 you.

8 CHAIRMAN GRAHAM: Major, thanks for being here
9 with us today, and thanks for your service.

10 MAJOR UNSICKER: Thank you, sir.

11 CHAIRMAN GRAHAM: Commissioners.

12 Commissioner Clark.

13 COMMISSIONER CLARK: Thank you, Mr. Chairman.

14 Again, acknowledge the parties and the great
15 work they did in putting this together. This is --
16 I think you're right, Ms. Keating, this may be an
17 even simpler settlement than the last one, but you
18 guys did a great job putting this together, and
19 with that, I -- I would move approval of the
20 settlement in its entirety.

21 COMMISSIONER BROWN: Second.

22 CHAIRMAN GRAHAM: It's been moved and second
23 agreement of the settlement in its entirety. Any
24 further discussion, questions, or concerns?

25 Seeing none, all in favor, say aye.

1 (Chorus of ayes.)

2 CHAIRMAN GRAHAM: Any opposed?

3 By your action, you've approved the agreement.

4 Thank you very much.

5 We are -- this is the end of our agenda. As I

6 said before, we will take up IA -- I guess it's

7 like an hour and 50 minutes from now. So, it's

8 2:45 by that clock in the back of the room. So,

9 it's about an hour and a half, hour 45 minutes.

10 And then, after IA, we're going to take up the

11 hearing. So, we're adjourned. Travel safe. Happy

12 holidays.

13 (Agenda item concluded.)

14 (Whereupon, proceedings concluded at 1:06

15 p.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, ANDREA KOMARIDIS, 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 20th day of December, 2018.



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