

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20250035-GU

Petition for approval of 2025 depreciation
study and for approval to amortize reserve
imbalance, by Florida City Gas.

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 SMITH

DATE: Thursday, September 4, 2025

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

REPORTED BY: DEBRA R. KRICK
Court Reporter and Notary
Public in and for the State
of Florida at Large

PREMIER REPORTING
TALLAHASSEE, FLORIDA
(850) 894-0828

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

2 CHAIRMAN LA ROSA: Let's jump in for a summary
3 on Item No. 2. Mr. Rubottom, my friend, you are
4 recognized.

5 MR. RUBOTTOM: Thank you, Mr. Chairman, and
6 good morning, Commissioners. Jon Rubottom with
7 Commission legal staff.

8 Item No. 2 is staff's recommendation on two
9 motions by OPC and associating request for oral
10 argument on each motion.

11 First, staff recommends that the Commission
12 deny OPC's motion to dismiss for lack of
13 jurisdiction because the Commission has
14 jurisdiction to consider the subject matter of
15 FCG's petition and because the Commission's
16 decision in this docket will not affect the subject
17 matter of an appeal currently pending before the
18 Florida Supreme Court.

19 Second, staff also recommends that the
20 Commission deny OPC's motion for reconsideration of
21 a Prehearing Order because OPC failed to identify a
22 point of fact or law that the Prehearing Officer
23 overlooked or failed to consider in rendering the
24 order.

25 Additionally, staff recommends denying OPC's

1 request for oral argument because the pleadings are
2 sufficient on their face for the Commission to
3 consider and rule on the motions. However, if the
4 Commission wishes to grant oral argument, staff
5 recommends no more than five minutes per side.

6 Representatives from OPC and FCG are present
7 and would like to address the Commission if oral
8 argument is granted, and staff is available for
9 your questions.

10 CHAIRMAN LA ROSA: Great. Thank you.

11 Commissioners, I, you know, as in reading
12 through the recommendations and reading through the
13 files, I believe that oral arguments wasn't
14 necessary, but I will certainly bring it up to us
15 if we feel any different, Commissioners? Okay.

16 All right. Seeing none, then if there is no
17 further discussion, open for a motion.

18 I am sorry, Commissioner Passidomo Smith, you
19 are recognized.

20 COMMISSIONER PASSIDOMO SMITH: Thank you, Mr.
21 Chair.

22 I am sorry, I don't have -- I didn't -- I
23 don't have any questions, that's why I didn't take
24 it off move staff. I just have a couple really
25 quick comments.

1 You know, I have read these pleadings that
2 came in, and I really just want to appreciate --
3 thank staff on the recommendation here. I think
4 it's really thorough and it addresses all these
5 motions that were presented. I saw a distinguished
6 -- the 2025 at that study that is at issue here, I
7 believe it is supported by, you know, fully
8 supported by an independent record, has a different
9 expert witness, new depreciation study, and so I
10 agree with staff that, like, the Commission has not
11 lost jurisdiction and has the subject matter
12 jurisdiction in the Supreme Court's jurisdiction in
13 this case, in my view, and agreeing with staff, it
14 really covers the particular case that's on appeal,
15 which involves FCG's 2022 depreciation study.

16 So with that, I would move approval of staff's
17 recommendation on all issues in this item.

18 CHAIRMAN LA ROSA: Excellent, so hearing a
19 motion, was there a getting second?

20 COMMISSIONER GRAHAM: Second.

21 CHAIRMAN LA ROSA: All right. Hearing a
22 second.

23 All those in favor signify by saying yay.

24 (Chorus of yays.)

25 CHAIRMAN LA ROSA: Yay.

1 Opposed no?

2 (No response.)

3 CHAIRMAN LA ROSA: All right. Thank you.

4 Show that Item No. 2 passes as recommended.

5 (Agenda item concluded.)

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CERTIFICATE OF REPORTER

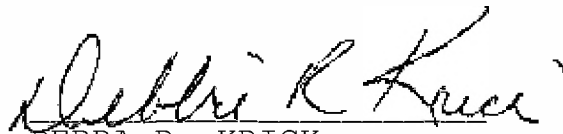
STATE OF FLORIDA)
COUNTY OF LEON)

I, DEBRA KRICK, 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 23rd day of September, 2025.


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