

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Purchased gas adjustment (PGA) true-up.

DOCKET NO. 20250003-GU

FILED: October 10, 2025

PREHEARING STATEMENT OF THE OFFICE OF PUBLIC COUNSEL

The Citizens of the State of Florida, through the Office of Public Counsel, pursuant to the Orders Establishing Procedure in this docket, Order No. PSC-2025-0050-PCO-GU, issued February 10, 2025, submit this Prehearing Statement.

APPEARANCES:

Walt Trierweiler
Public Counsel

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Deputy Public Counsel

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On behalf of the Citizens of the State of Florida.

1. WITNESSES:

None.

2. EXHIBITS:

None.

3. STATEMENT OF BASIC POSITION

The utilities bear the burden of proof to justify the recovery of the costs that they request in this docket and must carry this burden regardless of whether or not the intervenors provide evidence to the contrary. Further, the utilities bear the burden of proof to support their proposal(s) seeking the Commission's adoption of policy statements (whether new or changed) or other affirmative relief sought. Even if the Commission has previously approved a program, recovery of

a cost, factor, or adjustment as meeting the Commission's own requirements, the utilities still bear the burden of demonstrating that the costs submitted for final recovery meet any statutory test(s) and are reasonable in amount and prudently incurred. Further, the utilities bear the burden of proof to support that all costs sought to be recovered through this clause are correctly clause recovery costs and not base rate costs. Further, recovery of all costs is constrained by the Commission's obligation to set fair, just, and reasonable rates, based on projects that are prudent in purpose and scope and costs that are prudently incurred pursuant to Section 366.01, Florida Statutes. Additionally, the provisions of Chapter 366, Florida Statutes, must be liberally construed to protect the public welfare.

4. STATEMENT OF FACTUAL ISSUES AND POSITIONS

Generic Purchased Gas Adjustment Issues

ISSUE 1: What are the final purchase gas adjustment true-up amounts for the period January 2024 through December 2024?

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill is based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the final purchase gas adjustment true-up amounts for the period January 2024 through December 2024, proposed for recovery from customers, can necessarily be deemed reasonable and prudent.

ISSUE 2: What are the appropriate purchased gas adjustment actual/estimated true-up amounts for the period January 2025 through December 2025?

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill is based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the appropriate purchased gas adjustment actual/estimated true-up amounts for the period January 2025 through December 2025, proposed for recovery from customers, can necessarily be deemed reasonable or prudent.

ISSUE 3: What are the total purchased gas adjustment true-up amounts to be collected during the period January 2026 through December 2026?

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill is based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the total purchased gas adjustment true-up amounts to be collected during the period January 2026 through December 2026 can necessarily be deemed reasonable and prudent.

ISSUE 4: What are the levelized purchased gas adjustment cost recovery (cap) factors (0.000 per therm) for the period January 2026 through December 2026?

OPC: The levelized purchased gas adjustment cost recovery (cap) factors should be based on costs deemed reasonable and or prudent in a hearing and are correctly clause recovery costs.

ISSUE 5: What should the effective date of the new purchased gas adjustment cost recovery (cap) factors for billing purposes be?

OPC: The effective date for any rate change should be the first day of the first billing cycle in January 2026.

ISSUE 6: Should the Commission approve revised tariffs reflecting the new purchased gas adjustment cost recovery factors (\$0.00000 per therm) determined to be appropriate in this proceeding?

OPC: The tariffs ultimately approved should be based on costs deemed reasonable or prudent in a hearing.

ISSUE 7: Should this docket be closed?

OPC: No position at this time.

5. STIPULATED ISSUES:

None at this time.

6. PENDING MOTIONS:

None.

7. **STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY**

OPC has no pending requests for claims for confidentiality.

8. **OBJECTIONS TO WITNESS QUALIFICATIONS AS AN EXPERT**

OPC has no objections to any witness' qualifications as an expert in this proceeding.

9. **SEQUESTRATION OF WITNESSES**

OPC does not request the sequestration of any witness at this time.

10. **STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:**

There are no requirements of the Orders Establishing Procedure with which the Office of Public Counsel cannot comply.

Dated this 10th day of October 2025.

Respectfully submitted,

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/s/ Charles J. Rehwinkel
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CERTIFICATE OF SERVICE
Docket No. 20250003-GU

I HEREBY CERTIFY that a true and correct copy of the Office of Public Counsel's Prehearing Statement has been furnished by electronic mail on this 10th day of October 2025 to the following:

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