

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: DOCKET NO. 20250002-EG
Energy conservation cost
recovery clause.

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PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONERS
PARTICIPATING: COMMISSIONER GABRIELLA PASSIDOMO SMITH

DATE: Tuesday, October 21, 2025

TIME: Commenced: 9:30 a.m.
Concluded: 11:10 a.m.

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

REPORTED BY: DEBRA R. KRICK
Court Reporter

PREMIER REPORTING
TALLAHASSEE, FLORIDA
(850) 894-0828

1 COUNSEL OF RECORD FOR APPEARANCES:

2 MARIA MONCADA and JOEL BAKER, ESQUIRES, 700
3 Universe Boulevard, Juno Beach, FL 33408-0420; appearing
4 on behalf of Florida Power & Light Company (FPL).

5 MATTHEW BERNIER and STEPHANIE CUELLO,
6 ESQUIRES, 106 E. College Avenue, Suite 800, Tallahassee,
7 Florida 32301; DIANNE M. TRIPLETT, ESQUIRE, 299 First
8 Avenue North, St. Petersburg, Florida 33701; appearing
9 on behalf of Duke Energy Florida, LLC (DEF).

10 J. JEFFREY WAHLEN, MALCOLM N. MEANS and
11 VIRGINIA PONDER, ESQUIRES, Ausley Law Firm, Post Office
12 Box 391, Tallahassee, Florida 32302; appearing on behalf
13 of Tampa Electric Company. (TECO).

14 BETH KEATING, ESQUIRE, Gunster Law Firm, 215
15 South Monroe Street, Suite 601, Tallahassee, Florida
16 32301; appearing on behalf of Florida Public Utilities
17 Company (FPUC).

18 WALT TRIERWEILER, PUBLIC COUNSEL; CHARLES
19 REHWINKEL, DEPUTY PUBLIC COUNSEL; OFFICE OF PUBLIC
20 COUNSEL, c/o The Florida Legislature, 111 West Madison
21 Street, Room 812, Tallahassee, FL 32399-1400, appearing
22 on behalf of the Citizens of the State of Florida (OPC).

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1 APPEARANCES CONTINUED:

2 JAMES W. BREW, LAURA W. BAKER and SARAH B.
3 NEWMAN, ESQUIRES, Stone Law Firm, 1025 Thomas Jefferson
4 Street NW, Suite 800 West Washington, DC 20007;
5 appearing on behalf of Florida Retail Federation (FRF).

6 JACOB IMIG, ESQUIRE, FPSC General Counsel's
7 Office, 2540 Shumard Oak Boulevard, Tallahassee, FL
8 32399-0850, appearing on behalf of the Florida Public
9 Service Commission (Staff).

10 ADRIA HARPER, GENERAL COUNSEL; MARY ANNE
11 HELTON, DEPUTY GENERAL COUNSEL, Florida Public Service
12 Commission, 2540 Shumard Oak Boulevard, Tallahassee,
13 Florida 32399-0850, Advisor to the Florida Public
14 Service Commission.

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

2 COMMISSIONER PASSIDOMO SMITH: Okay. Good
3 morning, everyone. Today is October 21st, 2025.
4 It is 9:30 a.m., and I will now call this
5 Prehearing Conference to order.

6 Staff, will you please read the notice?

7 MR. IMIG: By notice issued on October 13th,
8 2025, this time and place been set for Prehearing
9 Conferences in Docket Nos. 20250001, 0002, 0003,
10 0004, 0007, and 10. The purpose of these
11 prehearings is set more fully -- out more fully in
12 the notice. Sorry.

13 COMMISSIONER PASSIDOMO SMITH: That's okay,
14 Mr. Imig. That's a lot of numbers. Thank you.

15 Let's move to appearances.

16 MR. IMIG: There are six dockets to address
17 today. We suggest that all appearances be taken at
18 once. All should parties enter their appearances
19 and declare the dockets that they are entering an
20 appearance for. Several parties will make
21 appearances. After the parties make their
22 appearances, staff will need to make theirs.

23 COMMISSIONER PASSIDOMO SMITH: Okay. So we
24 will take appearances now beginning with Florida
25 Power & Light.

1 MR. BAKER: Good morning, Commissioner. Joel
2 Baker here on behalf of Florida Power & Light, and
3 I am making an appearance today in the 01, 02, 07
4 and 10 dockets. I would also like to enter
5 appearances for Maria Moncada in the 01, 02 and 07
6 dockets; David Lee in the 01 docket; Will Cox in
7 the 02 docket; and Christopher Wright in the 10
8 docket.

9 Thank you.

10 MR. BERNIER: Good morning, Commissioner.
11 Matt Bernier in the 01, 02, 07 and 10 dockets. And
12 I would enter appearances for Dianne Triplett and
13 Stephanie Cuello in those same dockets.

14 Thank you.

15 MR. MEANS: Good morning, Commissioner.
16 Malcolm Means with the Ausley Law Firm appearing on
17 behalf of Tampa Electric in the 01, 02, 07 and 10
18 dockets. I would also like to enter appearances
19 for Jeff Wahlen in and Virginia Ponder in those
20 dockets.

21 Thank you.

22 MS. KEATING: Good morning, Commissioner.
23 Beth Keating with the Gunster Law Firm here today
24 for FPUC in the 01 and 02 dockets, for FPUC and
25 Florida City Gas in the 03 docket, and for Florida

1 City Gas, FPUC and Sebring in the 04 docket.

2 MR. JONES: Good morning, Commissioner. Matt
3 Jones with the Ausley McMullen Law Firm on behalf
4 of Peoples Gas 03 and 04 dockets. I would also
5 like to enter an appearance for colleagues Jeff
6 Wahlen, Malcolm Means and Virginia Ponder for those
7 same dockets.

8 Thank you.

9 MR. GARNER: Good morning, Commissioner.
10 William Garner for the Southern Alliance for Clean
11 Energy, and I am making an appearance in the 01
12 docket.

13 MS. BAKER: Good morning, Commissioner. Laura
14 Baker of the law firm Stone Mattheis Xenopoulos &
15 Brew, appearing on behalf of White Springs
16 Agricultural Chemicals, Inc., doing business as PCS
17 Phosphate White Springs. And I am entering an
18 appearance today in the 01, 02, 07 and 10 dockets.
19 I would also like to enter an appearance on behalf
20 of James Brew and Sarah Newman in those same
21 dockets.

22 Thanks.

23 MR. REHWINKEL: Good morning, Commissioner,
24 Charles Rehwinkel with the Office of Public
25 Counsel. I would also like to enter an appearance

1 for Walt Trierweiler, the Public Counsel, in all
2 dockets today.

3 Thank you.

4 COMMISSIONER PASSIDOMO SMITH: Thank you.

5 MR. IMIG: Yes, for Commission staff, Ryan
6 Sandy in the 01 docket; Jacob Imig in the 02 and 07
7 docket; Zachary Bloom in the 01 and 03 docket; Saad
8 Farooqi in the 04 docket; Timothy Sparks in the 04
9 docket; Carlos Marquez in the 07 docket; Daniel
10 Dose in the 10 docket and Shaw Stiller in the 10
11 docket.

12 MS. HELTON: And finally, Mary Anne Helton is
13 her as your Advisor in all the dockets, along with
14 your General Counsel, Adria Harper.

15 COMMISSIONER PASSIDOMO SMITH: Thank you.

16 Let's move to preliminary matters.

17 MR. IMIG: Staff notes of that FIPUG and Nucor
18 have been excused from the 01, 02 and 07 and 10
19 dockets.

20 COMMISSIONER PASSIDOMO SMITH: Okay. So for
21 that order of dockets, it's going to be as follows:
22 We will do 02 first, followed by 03, 04, 07, 10 and
23 then we will finish with the 01. So now we are
24 going to -- let's proceed to the 02.

25 Mr. Imig, are there any preliminary matters we

1 need to address before we get to the draft
2 Prehearing Order?

3 MR. IMIG: No, Commissioner.

4 COMMISSIONER PASSIDOMO SMITH: All right.
5 Seeing none, we are going to proceed through the
6 draft Prehearing Order. As a preface for all of
7 these, I'm just going to move through some of this
8 kind of quickly, especially in the beginning. If
9 there is any issues, feel free to yell out to me
10 and I will slow down and make the amendments as we
11 need.

12 So with that being said, let's move -- Section
13 I is the Case Background.

14 Section II, Conduct of Proceedings.

15 Section III, Jurisdiction.

16 Section IV, Procedure for Handling
17 Confidential Information.

18 Section V, Prefiled Testimony and Exhibits,
19 staff.

20 MR. IMIG: We recommend that the testimony
21 summary of any unexcused witness be limited to
22 three minutes.

23 COMMISSIONER PASSIDOMO SMITH: Is there any
24 objection?

25 Okay. Seeing none, let's move to Order of

1 Witnesses.

2 MR. IMIG: If the parties are willing to
3 excuse witnesses, staff will confirm with each
4 Commissioner whether a particular witness may be
5 excused. If no Commissioner has any questions for
6 those witnesses, then the witnesses should be
7 excused from the hearing and his or her testimony
8 and exhibits entered into the record as though
9 read.

10 COMMISSIONER PASSIDOMO SMITH: So now I am
11 going to ask parties, is there any witnesses that
12 we have right now that can be stipulated and
13 excused at this time? That's okay, we can -- you
14 can let us know later if you are still working on
15 that. No problem.

16 All right. We are going to keep moving on to
17 Basic Positions. Are there any changes -- do any
18 parties have any changes to basic positions at this
19 time?

20 Seeing none --

21 MR. REHWINKEL: Commissioner --

22 COMMISSIONER PASSIDOMO SMITH: Oh, sorry.
23 Yes, Mr. Rehwinkel.

24 MR. REHWINKEL: Yes, the Public Counsel filed
25 an amended prehearing statement, and I am not sure

1 that our basic position is --

2 MR. IMIG: I can address that directly.

3 MR. REHWINKEL: Yeah.

4 MR. IMIG: Yeah, we did receive that. We will
5 make sure that that is updated in the final order.

6 MR. REHWINKEL: Okay. And so for any of the
7 dockets where there is a prehearing order draft
8 that doesn't have what we submitted, I think we did
9 it on Friday, I am not going to repeat this, but I
10 just assume that staff will put it in. I apologize
11 for the lateness.

12 COMMISSIONER PASSIDOMO SMITH: No, that's
13 okay. It sounds like staff is going to make sure
14 it will be in before the final prehearing order is
15 issued.

16 MR. IMIG: That is correct.

17 COMMISSIONER PASSIDOMO SMITH: All right.
18 Sounds good.

19 Okay. Let's go to Issues and Positions.

20 MR. IMIG: Issues and positions are included
21 in the draft Prehearing Order. Staff notes that
22 for issues in which a party has taken no position
23 at this time, if a party does not take a position
24 on these issues per the OEP, their positions will
25 be changed to no position in the Prehearing Order.

1 If a party fails to take a position on an
2 issue by the prehearing conference, the party
3 waives its opportunity to conduct cross-examination
4 on the issue, as well as file a post-hearing brief
5 on that issue.

6 COMMISSIONER PASSIDOMO SMITH: Okay. Parties
7 are there any other related matters here that need
8 to be discussed before we move on?

9 Seeing none, let's move to the Exhibit List.
10 Staff.

11 MR. IMIG: Staff has prepared a Comprehensive
12 Exhibit List that includes all prefiled exhibits,
13 and also includes those exhibits staff wishes to
14 include in the record. Staff will check with the
15 parties before the hearing to determine whether
16 there are any objections to the Comprehensive
17 Exhibit List.

18 COMMISSIONER PASSIDOMO SMITH: Okay. All
19 right. Proposed Stipulations.

20 MR. IMIG: There are no proposed stipulations
21 at this time.

22 COMMISSIONER PASSIDOMO SMITH: Are there any
23 pending motions?

24 MR. IMIG: There are no pending motions.

25 COMMISSIONER PASSIDOMO SMITH: Any pending

1 confidential motions?

2 MR. IMIG: There are no pending confidential
3 requests.

4 COMMISSIONER PASSIDOMO SMITH: Awesome. All
5 right. Post-Hearing Procedures.

6 MR. IMIG: If parties agree to waive briefs,
7 the Commission may make a bench decision for this
8 docket.

9 If there are any issues to be briefed, staff
10 recommends post-hearing briefs be no longer than 40
11 pages.

12 COMMISSIONER PASSIDOMO SMITH: Are there any
13 objections to the 40 pages? All right. Seeing
14 none, let's move to Rulings.

15 MR. IMIG: Staff recommends that the
16 Prehearing Officer make a ruling that opening
17 statements, if any, should not exceed three minutes
18 per party.

19 COMMISSIONER PASSIDOMO SMITH: Is that
20 satisfactory? Okay. So opening statements shall
21 be limited to three minutes per party.

22 Also, I don't know, did I need to make a
23 ruling about witness testimony summaries limited to
24 three minutes? If not, that is my ruling.

25 MS. HELTON: That's set out in the body of the

1 order so --

2 COMMISSIONER PASSIDOMO SMITH: Okay. I don't
3 need to make an official ruling? Okay. So just --
4 all right, thank you. I will know that going
5 forward.

6 All right. Other matters?

7 MR. IMIG: There are none.

8 COMMISSIONER PASSIDOMO SMITH: Okay. Any
9 other issues in this docket before we move on?

10 All right. So this concludes the prehearing
11 in the 02.

12 (Proceedings concluded.)

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CERTIFICATE OF REPORTER

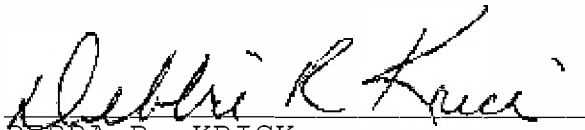
STATE OF FLORIDA)
COUNTY OF LEON)

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 10th day of November, 2025.


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