

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In re: DOCKET NO. 20250010-EI
Storm protection plan 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 CHRISTOPHER T. WRIGHT and DAVID M. LEE,
3 ESQUIRES, 700 Universe Boulevard, Juno Beach, FL
4 33408-0420; appearing on behalf of Florida Power & Light
5 Company (FPL).

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

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

15 BETH KEATING, ESQUIRE, Gunster Law Firm, 215
16 South Monroe Street, Suite 601, Tallahassee, Florida
17 32301; appearing on behalf of Florida City Gas (FCG).

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 SHAW STILLER and DANIEL DOSE, ESQUIRES, FPSC
7 General Counsel's Office, 2540 Shumard Oak Boulevard,
8 Tallahassee, FL 32399-0850, appearing on behalf of the
9 Florida Public 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: We are going to
3 move to 10.

4 Are there any preliminary matters we need to
5 address before we get to the draft Prehearing
6 Order?

7 MR. DOSE: Staff is unaware of any preliminary
8 matters at this time.

9 COMMISSIONER PASSIDOMO SMITH: Any party have
10 any preliminary matters in this docket?

11 All right. We will move through the draft
12 Prehearing Order.

13 Section 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. DOSE: Staff suggests that the witness
21 summary testimony be no longer than three minutes.

22 COMMISSIONER PASSIDOMO SMITH: Any objection?
23 All right. Seeing none.

24 Order of Witnesses.

25 MR. DOSE: If the parties are willing to

1 excuse witnesses, staff will confirm with each
2 Commissioner that any identified witness can be
3 excused. If Commissioners do not have any
4 questions for these witnesses, the witnesses may be
5 excused from the hearing and their testimony and
6 exhibits entered into the record as though read.

7 COMMISSIONER PASSIDOMO SMITH: Okay. Moving
8 to Basic Positions. Any changes to basic positions
9 at this time?

10 All right. Seeing none, we are going to move
11 on to the Issues and Positions. Staff any
12 additional comments before we get started with the
13 issues?

14 MR. DOSE: Issues and Positions are included
15 in the draft Prehearing Order. Staff notes that
16 for issues in which a party has taken no position
17 at this time, if such party does not take a
18 position on these issues, per the OEP, their
19 position will be changed to no position in the
20 Prehearing Order.

21 Additionally, if a party fails to take a
22 position on an issue by the time of the Prehearing
23 Conference, the parties -- the party waives its
24 opportunity to conduct cross-examination on the
25 issue, as well as file a post-hearing brief on the

1 issue.

2 COMMISSIONER PASSIDOMO SMITH: Any other
3 related matters that need to be discussed? None?
4 Okay.

5 We will move to the Exhibit List.

6 MR. DOSE: Staff has prepared a Comprehensive
7 Exhibit List, which lists all prefiled exhibits and
8 those exhibits staff wishes to include in the
9 record. The draft list was provided to the parties
10 to see if there were any changes or objections to
11 the CEL or to the introduction of any of staff's
12 exhibits being entered into the record.

13 At this time, we would like to see if there
14 are any known changes that need to be made to the
15 parties' prefiled exhibits, and there are if any
16 known objections to staff's entry of staff's
17 proposed exhibits into the record.

18 Staff will continue to work with the parties
19 to work towards stipulating the exhibit list prior
20 to the hearing.

21 COMMISSIONER PASSIDOMO SMITH: Are there any
22 changes to the parties prefiled exhibits?

23 Ms. Keating.

24 MS. KEATING: Thank you, Commissioner. I just
25 wanted to note that on page 41, BB-2 should be

1 removed, Exhibit BB-2 from Ms. Baker.

2 COMMISSIONER PASSIDOMO SMITH: Okay. Thank
3 you. We will make a note of that.

4 MR. DOSE: We will take care of that.

5 COMMISSIONER PASSIDOMO SMITH: Thank you.

6 I will now -- are we -- I will ask now, is
7 there any parties willing to stipulate to staff's
8 cross-examination exhibits listed on the CEL at
9 this time?

10 MR. BERNIER: DEF will stipulate to their
11 entry.

12 COMMISSIONER PASSIDOMO SMITH: Okay. Thank
13 you.

14 MS. KEATING: FPUC will as well.

15 COMMISSIONER PASSIDOMO SMITH: Okay. Thank
16 you. You don't have to answer now. I mean, you
17 can get back to -- yeah, once you review it, feel
18 free to get back to staff by when? Close of
19 business tomorrow?

20 MR. DOSE: That works.

21 COMMISSIONER PASSIDOMO SMITH: Okay. Good.
22 Thank you.

23 Okay. Let's move to Proposed Stipulations,
24 are there any?

25 MR. DOSE: There are no proposed stipulations

1 at this time.

2 COMMISSIONER PASSIDOMO SMITH: Are there any
3 pending motions?

4 MR. DOSE: There are no pending motions at
5 this time.

6 COMMISSIONER PASSIDOMO SMITH: Any pending
7 confidentiality matters?

8 MR. DOSE: There are no pending
9 confidentiality matters at this time.

10 COMMISSIONER PASSIDOMO SMITH: Okay.
11 Post-Hearing Procedures.

12 MR. DOSE: Staff recommends that post-hearing
13 briefs be limited to 40 pages should briefs be
14 necessary.

15 Staff recommends that a summary of each
16 position should be included in each post-hearing
17 statement.

18 And if a bench decision is not made,
19 post-hearing briefs will be due on November 12th,
20 2025.

21 COMMISSIONER PASSIDOMO SMITH: Are there any
22 objections?

23 All right. Seeing none, we will move to
24 Rulings.

25 MR. DOSE: Staff recommends that the

1 Prehearing Officer make a ruling that all parties
2 shall be provided three minutes for opening
3 statements.

4 COMMISSIONER PASSIDOMO SMITH: Objections?
5 All right. Seeing none, opening statements shall
6 be limited to three minutes per party.

7 Are there any other matters we need to address
8 in this Prehearing Conference?

9 MR. DOSE: No, Commissioner.

10 COMMISSIONER PASSIDOMO SMITH: Sounds good.

11 Okay. So this concludes the Prehearing of the
12 10 docket.

13 (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 11th day of November, 2025.


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