

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

FILED 11/9/2018
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FPSC - COMMISSION CLERK

In the Matter of:

DOCKET NO. 20180054-GU

CONSIDERATION OF THE TAX
IMPACTS ASSOCIATED WITH
TAX CUTS AND JOBS ACT OF
2017 FOR FLORIDA DIVISION
OF CHESAPEAKE UTILITIES
CORPORATION.

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PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONERS
PARTICIPATING: COMMISSIONER JULIE I. BROWN
PREHEARING OFFICER

DATE: Monday, November 5, 2018

TIME: Commenced: 10:25 A.M.
Concluded: 10:30 A.M.

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

1 APPEARANCES:

2 BETH KEATING, GREGORY MUNSON and LILA JABER,
3 ESQUIRES, Gunster Law Firm, 215 South Monroe Street,
4 Suite 601, Tallahassee, Florida 32301-1839, appearing on
5 behalf of Florida Public Utilities Company.

6 J.R. KELLY, PUBLIC COUNSEL; CHARLES REHWINKEL,
7 DEPUTY PUBLIC COUNSEL; VIRGINIA PONDER, ESQUIRE, Office
8 of Public Counsel, c/o the Florida Legislature, 111 W.
9 Madison Street, Room 812, Tallahassee, Florida
10 32399-1400, appearing on behalf of the Citizens of the
11 State of Florida.

12 MARGO DuVAL, RACHEL DZIERCHCIARZ, and CHARLES
13 MURPHY, ESQUIRES, FPSC General Counsel's Office, 2540
14 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,
15 appearing on behalf of the Florida Public Service
16 Commission Staff.

17 KEITH HETRICK, GENERAL COUNSEL; MARY ANNE
18 HELTON, DEPUTY GENERAL COUNSEL; Florida Public Service
19 Commission, 2540 Shumard Oak Boulevard, Tallahassee,
20 Florida 32399-0850, Advisor to the Florida Public
21 Service Commission.

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

2 COMMISSIONER BROWN: So we are opening up the
3 54 docket.

4 Ms. DuVal, can you go over the preliminary
5 matters?

6 MS. DUVAL: Yes. For the last time today,
7 staff, on Friday afternoon, received a list of
8 proposed revisions to the draft prehearing order
9 from the parties. We will continue working with
10 the parties to ensure that the agreed upon changes
11 are incorporated into that final prehearing order,
12 and we will identify those issue numbers at the
13 appropriate time.

14 COMMISSIONER BROWN: Thank you.

15 Any of the parties have any oral preliminary
16 matters other than the stipulations?

17 MR. MUNSON: No, Commissioner.

18 MS. PONDER: No.

19 COMMISSIONER BROWN: Thank you.

20 We are going to proceed through the draft
21 prehearing order. I may sound like a robot, but
22 does anybody have any changes or modifications to
23 the case background?

24 Seeing none. Conduct of Proceedings, Section
25 II, any changes?

1 Seeing none. Section III, Jurisdiction, any
2 changes?

3 Seeing none, Section IV, Procedure for
4 Handling Confidential Information.

5 MS. DUVAL: When confidential information is
6 used in the hearing, parties must have copies for
7 the Commissioners, necessary staff and the court
8 reporter in red envelopes clearly marked with the
9 nature of the contents. Any party wishing to
10 examine the confidential material that is not
11 subject to an order granting confidentiality shall
12 be provided a copy in the same fashion as provided
13 to the Commissioners subject to execution of any
14 appropriate protective agreement with the owner of
15 material.

16 COMMISSIONER BROWN: All right. Thank you.

17 Moving on to Section V, Prefiled Testimony,
18 Exhibits and Witnesses, we will go ahead and take
19 that under advisement and issue it in our final
20 order -- prehearing order.

21 Section VI, Order of Witnesses, anything to
22 add, Ms. DuVal?

23 MS. DUVAL: Only that if there are witnesses
24 that are stipulated, staff will confirm with each
25 Commissioner that those identified witnesses can

1 being excused. If Commissioners do not have
2 questions of those witnesses, they will be excused
3 from the hearing, and his or her testimony and
4 exhibits will be entered into the record at the
5 hearing as though read.

6 COMMISSIONER BROWN: Mr. Munson, I believe the
7 answer is going to be the same but --

8 MR. MUNSON: Correct, Commissioner.
9 Nothing -- I can't think of a different way to say
10 it this time around.

11 COMMISSIONER BROWN: You can say it the same
12 way.

13 OPC, any -- your witness?

14 MS. PONDER: We cannot excuse our witness at
15 this time.

16 COMMISSIONER BROWN: Or stipulate today?

17 MS. PONDER: Or stipulate today.

18 COMMISSIONER BROWN: Again, I encourage the
19 parties to work together. If all issues are
20 stipulated, of course please work together and come
21 to a full stipulation on the witnesses.

22 Section VII, Basic Positions, any changes?

23 Seeing none, Section VIII, the Issues and
24 Positions. Staff, can you walk us through the Type
25 1 and Type 2 stipulations in this docket?

1 MS. DUVAL: Yes.

2 It's staff's understanding that the following
3 issues are subject to a Type 1 stipulation, those
4 are: 1, 2, 3, 4A, 5A, 9, 13, 21 and 22.

5 And the following are subject to a Type 2
6 stipulation: 10, 11, 12, 14, 15, 16 and 17.

7 COMMISSIONER BROWN: Thank you.

8 Is that correct? I just want to confirm with
9 the parties.

10 MR. MUNSON: Yes, Commissioner.

11 MS. PONDER: Yes, Commissioner.

12 COMMISSIONER BROWN: Okay. Anything else to
13 add?

14 MS. DUVAL: Only that staff will continue
15 working with the parties to finalize that language
16 for the prehearing order.

17 COMMISSIONER BROWN: Thank you.

18 Section IX is the Exhibit List.

19 MS. DUVAL: Staff has prepared a draft
20 comprehensive exhibit list that has been
21 distributed to the parties to see if there are any
22 objections, and we will continue working on
23 finalizing that list.

24 COMMISSIONER BROWN: Thank you.

25 Section X, Proposed Stipulations, anything

1 addition to add any of the parties? Nope.

2 MR. MUNSON: Commissioner, again, with the
3 same statement, we expect to circulate proposed
4 stipulations on Issues 6, 7 and 8 later today or
5 early tomorrow on the private letter ruling.

6 COMMISSIONER BROWN: Great. Thank you.

7 Section XI, Pending Motions.

8 MS. DUVAL: There are no pending motions.

9 COMMISSIONER BROWN: Section XII.

10 MS. DUVAL: There are no pending
11 confidentiality motions.

12 COMMISSIONER BROWN: Thank you.

13 Section XIII, Post-Hearing Procedures.

14 MS. DUVAL: If issues are stipulated and the
15 parties agree to waive briefs, the Commission make
16 a bench decision for this portion of the docket.
17 If there are any issues be briefed, staff
18 recommends post-hearing briefs be no longer than 40
19 pages, and they would be due December 28th, 2018.

20 COMMISSIONER BROWN: Thank you.

21 Again, all parties are in agreement with that
22 timeframe and limit?

23 MR. MUNSON: Yes, Commissioner.

24 MS. PONDER: Yes, Commissioner.

25 COMMISSIONER BROWN: Thank you.

1 Section XIV, Rulings.

2 MS. DUVAL: Staff recommends that opening
3 statements not exceed five minutes per party unless
4 the parties choose to waive those.

5 COMMISSIONER BROWN: Thank you.

6 And are there any other matters that the
7 parties would like to address in this prehearing
8 conference before we adjourn?

9 MR. MUNSON: No, Commissioner.

10 MS. PONDER: None.

11 COMMISSIONER BROWN: Staff?

12 MS. DUVAL: Staff is not aware of any of.

13 COMMISSIONER BROWN: All right. Thank you all
14 so much for your patience here. This docket is
15 adjourned, and this prehearing conference.

16 MR. MUNSON: Thank you.

17 COMMISSIONER BROWN: Have a good day.

18 (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 9th day of November, 2018.



DEBRA R. KRICK
NOTARY PUBLIC
COMMISSION #GG015952
EXPIRES JULY 27, 2020