

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 110003-GU

In the Matter of

PURCHASED GAS ADJUSTMENT
(PGA) TRUE-UP.

PROCEEDINGS: PREHEARING

COMMISSIONER
PARTICIPATING: COMMISSIONER RONALD A. BRISÉ
PREHEARING OFFICER

DATE: Thursday, October 20, 2011

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

REPORTED BY: JANE FAUROT, RPR
Official FPSC Reporter
(850) 413-6732

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1 APPEARANCES:

2 BETH KEATING, ESQUIRE, Gunster Law Firm, 215 South
3 Monroe Street, Suite 618, Tallahassee, Florida 32301,
4 appearing on behalf of Florida City Gas, FPUC.

5 PATRICIA A. CHRISTENSEN, ESQUIRE, Office of Public
6 Counsel, c/o the Florida Legislature, 111 W. Madison Street,
7 Room 812, Tallahassee, Florida 32399-1400, appearing on behalf
8 of the Citizens of the State of Florida.

9 JENNIFER CRAWFORD, ESQUIRE, FPSC General Counsel's
10 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida
11 32399-0850, appearing on behalf of the Commission Staff.

12 MARY ANNE HELTON, Deputy General Counsel, Florida
13 Public Service Commission, 2540 Shumard Oak Boulevard,
14 Tallahassee, Florida 32399-0850, Advisor to the Florida Public
15 Service Commission.

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P R O C E E D I N G S

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2 **COMMISSIONER BRISÉ:** Good morning, once again.

3 Today we are going to deal with the prehearing
4 for the clause dockets. Today is October 20th, 2011, and
5 we are going to deal with Docket Numbers 110003-GU,
6 110004-GU, 110001-EI, 110007-EI, 110002-EG. And, I guess,
7 officially I must say that we called this prehearing to
8 order, so I will do that. And I will ask staff to read
9 the notice.

10 **MS. CRAWFORD:** Thank you, Commissioner.

11 Pursuant to notice, this time and place has been
12 set aside for the purpose of conducting a prehearing
13 conference in the following dockets: 110001-EI, 110002-EG,
14 110003-GU, 110004-GU, and 110007-EI. The purpose of the
15 prehearing is set forth more fully in the notice.

16 **COMMISSIONER BRISÉ:** Thank you.

17 At this time I will take appearances, and since
18 there are five dockets that we must address today, we're
19 going to take all of the appearances at this time. We are
20 going to from my left to right.

21 **MR. GLENN:** Alex Glenn on behalf of Progress
22 Energy Florida. Also, I will enter an appearance for John
23 Burnett, Dianne Triplett, and Gary Perko in the ECRC
24 docket, as well.

25 **MR. BADDERS:** Good morning, Commissioner.

1 Russell Badders on behalf of Gulf Power Company.
2 With me I have Jeffrey A. Stone and Steven Griffin. We
3 are all appearing on behalf of Gulf Power in the 01, 02,
4 and 07 dockets.

5 **MR. BEASLEY:** Good morning.

6 James D. Beasley and J. Jeffry Wahlen of the law
7 firm of Ausley and McMullen. We are representing Tampa
8 Electric Company in the 01, 02, and 07 dockets.

9 **MR. BUTLER:** Good morning, Commissioner.

10 John Butler, Florida Power and Light Company,
11 appearing in the 01, 02, and 07 dockets. Also appearing
12 for FPL in the 02 docket is Ken Rubin. Thank you.

13 **MS. KEATING:** Good morning, Commissioner.

14 Beth Keating with the Gunster law firm appearing
15 today on behalf of FPUC in the 01 docket, FPUC in the 02
16 docket, FPUC and Florida City Gas in the 03 docket, and
17 FPUC, FPUC Indiantown, Chesapeake, and Florida City Gas in
18 the 04 docket.

19 **MR. MCGLOTHLIN:** Do you have a scorecard we can
20 use for that?

21 (Laughter.)

22 Good morning. Joe McGlothlin of the Office of
23 Public Counsel. Also appearing will be Patty Christensen
24 and Charles Rehwinkel.

25 **MS. BROWNLESS:** Good morning. Suzanne

1 Brownless. I am appearing on behalf of the Florida Solar
2 Industries Association in the 02 docket.

3 **MR. CAVROS:** Good morning. George Cavros on
4 behalf of the Southern Alliance for Clean Energy appearing
5 in the 02 docket.

6 **MR. MOYLE:** John Moyle, Keefe Anchors Gordan &
7 Moyle law firm, appearing on behalf of the Florida
8 Industrial Power Users Group, FIPUG. I'd like to also
9 enter an appearance for my colleague, Vicki Kaufman.

10 **CAPTAIN MILLER:** Good morning, Commissioner.

11 I'm Captain Sam Miller. I'm making an
12 appearance on behalf of the Federal Executive Agencies. I
13 am also making an appearance on behalf Karen White for the
14 01, 02, and 07 dockets.

15 **MR. TAYLOR:** Al Taylor on behalf of PCS
16 Phosphate, I'm also entering an appearance for Jay Brew in
17 the 01 and 02 dockets.

18 **MR. WRIGHT:** Good morning, Commissioner.

19 Schef Wright appearing on behalf of the Florida
20 Retail Federation in the 0001 docket. I would also like
21 to enter an appearance for my partner, John T. Lavia, III,
22 in the fuel docket on behalf of the Federation. Thank
23 you.

24 **MR. HORTON:** Commissioner, Norman H. Horton, Jr.
25 appearing in the 04 docket on behalf of Sebring Gas

1 System, Inc.

2 MS. BENNETT: Commissioner Brisé -- oh, I'm
3 sorry.

4 COMMISSIONER BRISÉ: I believe we have one other
5 appearance.

6 MS. CHRISTENSEN: I believe Mr. McGlothlin also
7 announced me, but Patty Christensen on behalf of Office of
8 Public Counsel.

9 COMMISSIONER BRISÉ: Thank you.
10 Staff.

11 MS. BENNETT: Lisa Bennett and Martha Barrera on
12 behalf of the Public Service Commission in the 01 docket.

13 MS. BROWN: Martha Carter Brown and Charles
14 Murphy on behalf of the Commission in the 07 docket.

15 MS. TAN: Lee Eng Tan on behalf of the
16 Commission in the 02 docket.

17 MS. CRAWFORD: Jennifer Crawford on behalf of
18 the 03 and 04 docket. And, perhaps, Commissioner -- oh,
19 go ahead.

20 MS. HELTON: Mary Anne Helton, Advisor to the
21 Commission, in all the dockets.

22 MS. CRAWFORD: Sorry about that.

23 It would, perhaps, be appropriate to note for
24 the record that St. Joe Natural Gas Company and Peoples
25 Gas System have requested and received permission to be

1 excused from the prehearing conference.

2 **COMMISSIONER BRISÉ:** Thank you.

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4 **COMMISSIONER BRISÉ:** We will take up the dockets
5 in the following order, 03, 04, 01, 07, and then 02.

6 Okay.

7 So with that, we're going to proceed to Docket
8 Number 110003-GU. Ms. Crawford, are there any preliminary
9 matters that we need to address before we get to the draft
10 prehearing order?

11 **MS. CRAWFORD:** Staff is not aware of any and
12 none are expected at this time. Again, I would note for
13 the record that St. Joe Natural Gas Company and Peoples
14 Gas System have been excused from the 03 and 04 dockets.

15 I would also like to point out that it appears
16 that all parties have agreement on all issues. In other
17 words, all issues appear to be stipulated. Noting,
18 however, that OPC takes no position on those issues. And
19 those proposed stipulations are reflected in Sections VIII
20 and X of the draft prehearing order.

21 **COMMISSIONER BRISÉ:** All right. With that, it's
22 going to make it rather easy this morning on that
23 particular docket, so I will proceed through the draft
24 prehearing order. We will go through this rather quickly.
25 I'll identify the sections. I want parties to let me know

1 if there are any corrections or changes that need to be
2 made. We will go quickly through a lot of this, so please
3 speak into the mike if you have corrections that we need
4 to make.

5 Section I, case background. Section II, conduct
6 of proceedings. Section III, jurisdiction. Section IV,
7 procedures for handling confidential information.
8 Section V, prefiled testimony and exhibits; witnesses.

9 **MS. CRAWFORD:** For this section, I would like to
10 note that it appears, again, since there are stipulations
11 on all issues, it does appear that all witnesses may be
12 excused if no Commissioner seeks cross-examination. Staff
13 is in the process of making that confirmation. As soon as
14 it is known, hopefully that can be reflected in the
15 prehearing order once finalized.

16 **COMMISSIONER BRISÉ:** Thank you.

17 Section VI, order of witnesses. Section VII,
18 basic positions. Section VIII, issues and positions.

19 **MS. CRAWFORD:** Again, I'd simply note it does
20 appear that there are stipulations on all issues. I'd
21 leave it to the parties if there is any disagreement to
22 that effect.

23 **COMMISSIONER BRISÉ:** Section IX, exhibit list.

24 **MS. CRAWFORD:** I'd like to note that staff has
25 prepared a comprehensive exhibit list that consists of the

1 list itself as well as all prefiled testimony and
2 exhibits. Staff has distributed that proposed list to all
3 parties, and we'll present that accordingly at the
4 hearing.

5 **COMMISSIONER BRISÉ:** Section X, proposed
6 stipulations.

7 **MS. CRAWFORD:** Again, simply noting that it does
8 appear that there are stipulations on issues. However,
9 noting that OPC takes no position.

10 **COMMISSIONER BRISÉ:** Section XI, pending
11 motions. Section XII, pending confidentiality motions.

12 **MS. CRAWFORD:** There are two pending
13 confidentiality requests. Staff will prepare separate
14 orders for those requests.

15 **COMMISSIONER BRISÉ:** Thank you.

16 Section XIII, post-hearing procedures. Section
17 XIV, I guess these are the rulings. Opening statements, I
18 will say, shall be limited to five minutes per party.
19 And, staff, I don't know if there is any --

20 **MS. CRAWFORD:** I would like to note that in the
21 past, given that all of these issues are stipulated,
22 parties have waived opening statements in the 03 and 04
23 dockets. Perhaps it would be appropriate to look to the
24 parties to see if that might again be accomplished in this
25 docket.

1 **MR. KEATING:** We'd waive.

2 **COMMISSIONER BRISÉ:** Perfect. Is that all the
3 parties?

4 **MS. CHRISTENSEN:** We waive. We are taking no
5 position, so we would waive opening statements.

6 **COMMISSIONER BRISÉ:** All right. Other matters.

7 **MS. CRAWFORD:** Staff would note, again, for the
8 ruling sections that St. Joe Natural Gas Company and
9 Peoples Gas System have been excused. Staff is aware of
10 no other pending matters at this time.

11 **COMMISSIONER BRISÉ:** Thank you. So now we will
12 conclude this prehearing in Docket 03.

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1 STATE OF FLORIDA)
2 : CERTIFICATE OF REPORTER
3 COUNTY OF LEON)

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5 I, JANE FAUROT, RPR, Chief, Hearing Reporter Services
6 Section, FPSC Division of Commission Clerk, do hereby
7 certify that the foregoing proceeding was heard at the time
8 and place herein stated.

9 IT IS FURTHER CERTIFIED that I stenographically
10 reported the said proceedings; that the same has been
11 transcribed under my direct supervision; and that this
12 transcript constitutes a true transcription of my notes of
13 said proceedings.

14 I FURTHER CERTIFY that I am not a relative, employee,
15 attorney or counsel of any of the parties, nor am I a
16 relative or employee of any of the parties' attorney or
17 counsel connected with the action, nor am I financially
18 interested in the action.

19 DATED THIS 24th day of October, 2011.

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