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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. 20220003-GU

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

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PROCEEDINGS: PREHEARING CONFERENCE

COMMISSIONERS  
PARTICIPATING: COMMISSIONER MIKE LA ROSA

DATE: Wednesday, November 2, 2022

TIME: Commenced: 9:30 a.m.  
Concluded: 11:49 a.m.

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

REPORTED BY: DEBRA R. KRICK  
Court Reporter

PREMIER REPORTING  
112 W. 5TH AVENUE  
TALLAHASSEE, FLORIDA  
(850) 894-0828

1 APPEARANCES:

2 BETH KEATING, ESQUIRE, Gunster Law Firm, 215  
3 South Monroe Street, Suite 601, Tallahassee, Florida  
4 32301; appearing on behalf of Florida Public Utilities  
5 Company (FPUC).

6 CHRISTOPHER T. WRIGHT, ESQUIRE, 700 Universe  
7 Boulevard, Juno Beach, Florida 33408-2863; appearing on  
8 behalf of Florida City Gas (FCG).

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

13 RICHARD GENTRY, PUBLIC COUNSEL; CHARLES J.  
14 REHWINKEL, DEPUTY PUBLIC COUNSEL; PATRICIA A.  
15 CHRISTENSEN, ESQUIRE, OFFICE OF PUBLIC COUNSEL, c/o The  
16 Florida Legislature, 111 West Madison Street, Room 812,  
17 Tallahassee, Florida 32399-1400; appearing on behalf of  
18 the Citizens of the State of Florida (OPC).

19 RYAN SANDY, ESQUIRE, FPSC General Counsel's  
20 Office, 2540 Shumard Oak Boulevard, Tallahassee, Florida  
21 32399-0850, appearing on behalf of the Florida Public  
22 Service Commission (Staff).

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1 APPEARANCES CONTINUED:

2 KEITH C. HETRICK, GENERAL COUNSEL; MARY ANNE  
3 HELTON, DEPUTY GENERAL COUNSEL, Florida Public Service  
4 Commission, 2540 Shumard Oak Boulevard, Tallahassee,  
5 Florida 32399-0850, Advisor to the Florida Public  
6 Service Commission.

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

2 COMMISSIONER LA ROSA: Let's proceed to the 03  
3 docket.

4 MR. SANDY: Good morning, Mr. Commissioner.  
5 Ryan Sandy on behalf of the Commission.

6 In regards to preliminary matters, I would  
7 note for the record that representatives of St. Joe  
8 Natural Gas Company have been excused from the  
9 prehearing in the 03 docket.

10 I would also note that Type 2 stipulations are  
11 pending in the 03, although, they have not been  
12 finalized as of this morning. We are awaiting  
13 confirmation from all the parties at this time that  
14 they are amenable to excusing their witnesses from  
15 the hearing scheduled for November 17th and 18th in  
16 this matter.

17 I would also note as a preliminary matter that  
18 staff has learned that Florida City Gas may have  
19 had an error in its 2023 projections in the 03  
20 docket. We are certainly open to hearing their  
21 position on that particular issue at this time with  
22 leave of you.

23 COMMISSIONER LA ROSA: Okay. Thank you.

24 So I will punt it over to Florida City Gas.

25 Do you have any positions on the errors in the 2023

1 projections?

2 MS. KEATING: There we go. Thank you,  
3 Commissioner.

4 The company recently determined that certain  
5 amounts associated with the LNG facility were  
6 included in its projections for 2023, when they  
7 should have been booked to base. The error was  
8 discovered very recently. And based on the impact  
9 that those revisions would have, we are proposing  
10 to make those corrections in the actual estimated  
11 filing next year.

12 We have discussed this issue with both Public  
13 Counsel and with Commission staff. We understand  
14 that they are amenable to that approach, but we  
15 just wanted to make you aware of that and make sure  
16 that was on the record.

17 COMMISSIONER LA ROSA: Okay. Excellent.  
18 Thank you.

19 Any other parties have any other preliminary  
20 matters? OPC, you are recognized.

21 MS. CHRISTENSEN: Oh, I just wanted to address  
22 the correction. And we are in agreement with that,  
23 and we are in a position to facilitate Type 2  
24 stipulations on all the issues with that  
25 clarification. We just wanted to ensure that that

1 gets reduced to writing in the prehearing order so  
2 that we can follow up and follow that next year as  
3 well.

4 Thank you.

5 COMMISSIONER LA ROSA: Noted. Any others?

6 Okay. Seeing none, let's go through the draft  
7 prehearing order now. I will identify the  
8 sections, like I mentioned before. I may go a  
9 little bit quick, so please speak up if you do see  
10 something or would suggest a change.

11 Section 1, Case Background.

12 Section II, Conducted in Proceedings.

13 Section III, Jurisdiction.

14 Section IV, Procedure for Handling  
15 Confidential Information.

16 Section V, Prefiled Testimony and Exhibits,  
17 Witnesses.

18 MR. SANDY: Mr. Commissioner, as with the 02  
19 docket, if no witnesses are excused, we would  
20 recommend that a summary of their testimony is no  
21 longer than three minutes at the hearing.

22 COMMISSIONER LA ROSA: Three minutes. That  
23 sounds good.

24 Let's go to the order of witnesses, Section  
25 VI.

1           MR. SANDY: Mr. Commissioner, as with the 02,  
2 we would like to confirm with the parties that they  
3 are willing to excuse all their witnesses. If so,  
4 we would confirm with each of the Commissioners  
5 that those witnesses may be excused if the  
6 Commissioners have no questions. If there are no  
7 questions, if they may be excused, we will notify  
8 the parties their prefiled testimony and exhibits  
9 will be entered into the record as though read.

10           COMMISSIONER LA ROSA: Okay. Excellent.

11           Then let's move on to Basic Positions. Do the  
12 parties have any changes to their basic positions?

13           Seeing none, if there is a change please do so  
14 by the end of the business day tomorrow.

15           Let's move on to Section VIII, Issues and  
16 Positions.

17           MR. SANDY: Mr. Commissioner, staff would  
18 note, as with the 02 docket, in the event that any  
19 of the parties take a position referencing no  
20 position at this time, that that is not considered  
21 a position pursuant to the OEP that's been filed in  
22 the 03 docket, and it will be categorized as no  
23 position in the prehearing order.

24           Also, pursuant to the OEP, if a party fails to  
25 take a position about the time of this prehearing

1 conference, or at the close of business tomorrow,  
2 they will waive their opportunity for conducting  
3 cross-examination on any of the issues, as well as  
4 filing a post-hearing brief on that particular  
5 issue.

6 COMMISSIONER LA ROSA: Understood.

7 Parties, any other related matters that need  
8 to be discussed? OPC, you are recognized.

9 MS. CHRISTENSEN: Yes. I think we, as we said  
10 before, we are willing to facilitate Type 2  
11 position -- or Type 2 stipulations on all of the  
12 issues with the regular Type 2 stipulation language  
13 included in the order, if we can confirm that. And  
14 we can speak with staff counsel later regarding all  
15 of those if need be.

16 COMMISSIONER LA ROSA: Staff, are you okay  
17 with that?

18 MR. SANDY: Mr. Commissioner, we are happy to  
19 work with OPC and facilitate that.

20 COMMISSIONER LA ROSA: Excellent. Sounds  
21 good. It sounds like we are on the same page.

22 Move on to exhibit list.

23 MR. SANDY: I would note, Mr. Commissioner,  
24 that a comprehensive exhibit list has been  
25 prepared. We will be working with all the parties



1 to make sure they have no objections on the  
2 comprehensive exhibit list prior to the hearing  
3 currently scheduled in the 03 docket.

4 COMMISSIONER LA ROSA: Okay. Then let's move  
5 on to proposed stipulations.

6 MR. SANDY: There are none at this time, sir.  
7 However, it sounds as if we should have some  
8 forthcoming very soon.

9 COMMISSIONER LA ROSA: Pending motions.

10 MR. SANDY: There are none at this time, as  
11 far as staff knows.

12 COMMISSIONER LA ROSA: Great. Pending  
13 confidentiality motions.

14 MR. SANDY: There are none, Mr. Commissioner.

15 COMMISSIONER LA ROSA: Okay. Post-hearing  
16 procedures.

17 MR. SANDY: If the parties agree to waive  
18 their briefs, then the Commission may rule from the  
19 bench on the 03 docket. If there are issues that  
20 must be briefed, we direct post-hearing briefs are  
21 no longer than 40 pages.

22 COMMISSIONER LA ROSA: Excellent. All parties  
23 in agreement with that? Makes sense. Excellent.

24 Let's going on to Section IX -- I am sorry,  
25 Section XIV Rulings.

1           MR. SANDY: As with the 02 docket, in the  
2 event it is necessary, we would recommend that  
3 opening statements not exceed three minutes at the  
4 hearing.

5           COMMISSIONER LA ROSA: Okay. Excellent. All  
6 parties in agreement with that, three minutes?  
7 Sounds good.

8           Other matters. Are there any other matters  
9 that need to be addressed before the prehearing  
10 conference?

11          MR. SANDY: I am not aware of any other  
12 matters it, Mr. Chairman.

13          COMMISSIONER LA ROSA: Okay. Simple enough.  
14 Seeing -- seeing none, that concludes the  
15 hearing for the 03 docket.

16          (Proceedings concluded.)

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CERTIFICATE OF REPORTER

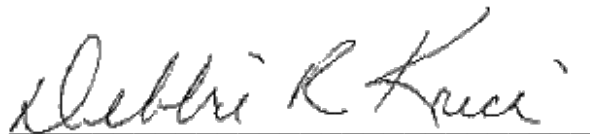
STATE OF FLORIDA )  
COUNTY OF LEON )

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 15th day of November, 2022.



DEBRA R. KRICK  
NOTARY PUBLIC  
COMMISSION #HH31926  
EXPIRES AUGUST 13, 2024