

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of modifications to rate schedule FB-1, fixedbill program by Duke Energy Florida, LLC.

DOCKET NO. 20200222-EI  
ORDER NO. PSC-2020-0470-PCO-EI  
ISSUED: November 23, 2020

The following Commissioners participated in the disposition of this matter:

GARY F. CLARK, Chairman  
ART GRAHAM  
JULIE I. BROWN  
DONALD J. POLMANN  
ANDREW GILES FAY

ORDER SUSPENDING DUKE ENERGY FLORIDA, LLC'S PROPOSED OPTIONAL  
FIXEDBILL RATE SCHEDULE AND ASSOCIATED TARIFF SHEET NO. 6.391  
REVISIONS

BY THE COMMISSION:

**Background**

On September 28, 2020, Duke Energy Florida, LLC (DEF) filed a petition for approval of modifications to its Optional FixedBill (FB-1) rate schedule and associated Tariff Sheet No. 6.391. The FB-1 rate schedule is available to residential customers and offers participating customers a predetermined electric bill for 12 months protecting customers from fluctuating electric bills resulting from weather or non-weather-related impacts.

DEF is proposing revisions to Tariff Sheet No. 6.391 to allow DEF to have control of thermostats of customers taking service on the FB-1 rate schedule in addition to applicable Demand-Side Management programs through December 31, 2021. DEF explains that the goal is to test customer willingness to allow DEF to control 'eligible' customers' thermostats in exchange for a \$50 prepaid credit card. The proposed program is limited to 2,000 participants. We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

**Decision**

DEF's proposed FB-1 rate schedule and associated Tariff Sheet No. 6.391 are suspended to allow Commission staff sufficient time to review DEF's petition and gather all pertinent information in order to present us with an informed recommendation on DEF's proposed tariff modifications.

Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of the new rate schedules, delivering to the utility requesting such a change, a reason,

or written statement of a good cause for doing so within 60 days. We find that the reasoning set forth above constitutes good cause consistent with the requirement of Section 366.06(3), F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Duke Energy Florida, LLC's proposed Optional FixedBill rate schedule and associated Tariff Sheet No. 6.391 revisions are suspended. It is further

ORDERED that this docket shall remain open pending our final decision on DEF's proposed Optional FixedBill rate schedule and associated Tariff Sheet No. 6.391 revisions.

By ORDER of the Florida Public Service Commission this 23rd day of November, 2020.



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ADAM J. TEITZMAN  
Commission Clerk  
Florida Public Service Commission  
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Tallahassee, Florida 32399  
(850) 413-6770  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

KMS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.