

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery
clause.

DOCKET NO. 20230002-EG
ORDER NO. PSC-2023-0342-FOF-EG
ISSUED: November 16, 2023

The following Commissioners participated in the disposition of this matter:

ANDREW GILES FAY, Chairman
GARY F. CLARK
MIKE LA ROSA
GABRIELLA PASSIDOMO

FINAL ORDER APPROVING ENERGY CONSERVATION COST RECOVERY AMOUNTS
AND RELATED TARIFFS AND ESTABLISHING ENERGY CONSERVATION COST
RECOVERY FACTORS FOR THE PERIOD JANUARY 2024 THROUGH DECEMBER 2024

APPEARANCES:

MARIA JOSE MONCADA and WILLIAM P. COX, ESQUIRES, 700 Universe
Boulevard, Juno Beach, Florida 33408
On behalf of FLORIDA POWER & LIGHT COMPANY (“FPL”).

DIANNE M. TRIPLETT, ESQUIRE, 299 First Avenue North, St. Petersburg,
Florida 33701, MATTHEW R. BERNIER and STEPHANIE A. CUELLO,
ESQUIRES, 106 East College Avenue, Suite 800, Tallahassee, Florida 32301
On behalf of DUKE ENERGY FLORIDA, LLC (“DEF”).

J. JEFFRY WAHLEN, MALCOLM N. MEANS, and VIRGINIA PONDER,
ESQUIRES, Post Office Box 391, Tallahassee, Florida 32302
On behalf of TAMPA ELECTRIC COMPANY (“TECO”).

BETH KEATING, ESQUIRE, Gunster, Yoakley & Stewart, P.A., 215 South
Monroe St., Suite 601, Tallahassee, Florida 32301
On behalf of FLORIDA PUBLIC UTILITIES COMPANY (“FPUC”).

WALT TRIERWEILER, CHARLES A. REHWINKEL, PATRICIA A.
CHRISTENSEN, MARY A. WESSLING, and OCTAVIO SIMOES PONCE,
ESQUIRES, 111 West Madison Street, Room 812, Tallahassee, Florida 32399
On behalf of OFFICE OF PUBLIC COUNSEL (“OPC”).

JON C. MOYLE, JR. and KAREN A. PUTNAL, ESQUIRES, 118 North Gadsden Street, Tallahassee, Florida 32312

On behalf of FLORIDA INDUSTRIAL POWER USERS GROUP (“FIPUG”).

CARLOS M. MARQUEZ II and JACOB IMIG, ESQUIRES, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399

On behalf of Florida Public Service Commission Staff (“Commission Staff”).

MARY ANNE HELTON, ESQUIRE, Deputy General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399

Advisor to Florida Public Service Commission.

KEITH C. HETRICK, ESQUIRE, General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399

Florida Public Service Commission General Counsel.

BY THE COMMISSION:

BACKGROUND

The Energy Conservation Cost Recovery Clause allows electric public utilities to seek recovery of costs for energy conservation programs on an annual basis, pursuant to Sections 366.80–366.83, Florida Statutes (“F.S.”), and Chapter 25-17, Florida Administrative Code (“F.A.C.”). As part of the Florida Public Service Commission’s (“Commission”) continuing energy conservation cost recovery proceedings, an administrative hearing in this docket was held on November 1, 2023. We are vested with subject matter jurisdiction by the provisions of Chapters 120 and 366, F.S., including Sections 366.04, 366.05, and 366.06, F.S.

Nucor Steel Florida, Inc. (“Nucor”) and White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (“PCS”) were previously excused from appearing for this hearing.

Florida Power & Light Company (“FPL”), Duke Energy Florida, LLC (“DEF”), Tampa Electric Company (“TECO”), and Florida Public Utilities Company (“FPUC”) each submitted testimony and exhibits in support of their proposed final and estimated true-up amounts, total conservation cost recovery amounts, and conservation cost recovery factors. Commission Staff supplemented the record with interrogatory responses from the utilities’ witnesses.

Prior to the hearing, the four investor-owned electric utilities reached Type 2 stipulations¹ with Commission Staff concerning all issues identified for resolution at the hearing. The intervenors—Office of Public Counsel (“OPC”), Florida Industrial Power Users Group (“FIPUG”), Nucor, and PCS—took no position on any of the issues.²

DECISION

We accept and approve the Type 2 stipulations contained in Exhibit 18, finding them reasonable and supported by substantial, competent evidence. This Commission relied upon the uncontroverted testimony of the witnesses and the supplemental evidence entered into the record.

Conservation Cost Recovery True-Up

We find that the final conservation cost recovery adjustment true-up amounts for the period January 2022 through December 2022 are as follows:

FPL
\$6,951,067 (over-recovery)

DEF
\$862,479 (over-recovery)

TECO
\$4,521,911 (over-recovery)

FPUC
\$105,310 (over-recovery)

We find that the appropriate conservation adjustment actual/estimated true-up amounts for the period January 2023 through December 2023 are as follows:

FPL
\$12,332,373 (over-recovery)

DEF
\$4,692,275 (over-recovery)

¹ A “Type 2 stipulation” occurs on an issue when the utility and Commission Staff, or the utility and at least one party adversarial to the utility, agree on the resolution of the issue and the remaining Parties (including Commission Staff if it does not join in the agreement) do not object to the Commission relying upon the agreed language to resolve that issue in a final order.

² The intervenors took no position on these issues nor did they have the burden of proof related to them. As such, they represented that they would not contest or oppose the Commission taking action approving a proposed stipulation between the utilities and Commission Staff as a final resolution of these issues. No person is authorized to state that OPC, FIPUG, Nucor, or PCS was a participant in, or party to, a stipulation on these issues, either in this docket, in an order of the Commission, or in a representation to a Court.

TECO

\$2,841,279 (over-recovery)

FPUC

\$66,591 (under-recovery)

We find that the appropriate total conservation adjustment true-up amounts to be collected/refunded in the period January 2024 through December 2024 are as follows:

FPL

\$19,283,440 (over-recovery)

DEF

\$5,554,754 (over-recovery)

TECO

\$7,363,190 (over-recovery)

FPUC

\$38,719 (over-recovery)

We find that the total conservation cost recovery amounts to be collected during the period January 2024 through December 2024 are as follows:

FPL

\$143,718,548

DEF

\$116,574,915

TECO

\$39,011,038

FPUC

\$919,031

Conservation Cost Recovery Factors

We find that the appropriate conservation cost recovery factors for the period January 2024 through December 2024 are as follows:

FPL

Rate Class	Conservation Recovery Factor (\$/kw)	Conservation Recovery Factor (Cents/kwh)	RDC (\$/KW)	SDD (\$/KW)
RS1/RTR1	-	0.124	-	-
GS1/GST1	-	0.115	-	-
GSD1/GSDT1/HLFT1/GSD1-EV	0.43	-	-	-
OS2	-	0.072	-	-
GSLD1/GSLDT1/CS1/CST1/HLFT2/GSLD1-EV	0.46	-	-	-
GSLD2/GSLDT2/CS2/CST2/HLFT3	0.49	-	-	-
GSLD3/GSLDT3/CS3/CST3	0.54	-	-	-
SST1T	-	-	0.05	0.03
SST1D1/SST1D2/SST1D3	-	-	0.05	0.03
CILC D/CILC G	0.50	-	-	-
CILC T	0.50	-	-	-
MET	0.43	-	-	-
OL1/SL1/SL1M/PL1/OSI/II	-	0.038	-	-
SL2/SL2M/GSCU1	-	0.091	-	-

DEF

Retail Rate Schedule	Cost Recovery Factor (Cents/kWh) Voltage Level		
	Secondary	Primary	Transmission
Residential: RS-1, RST-1, RSL-1, RSL-2, RSS-1	0.330	-	-
General Service Non-Demand: GS-1, GST-1	0.290	0.287	0.284
General Service: GS-2	0.227	-	-
Lighting: LS-1	0.117	-	-

Retail Rate Schedule	Cost Recovery Factor (Dollars/kW) Voltage Level		
	Secondary	Primary	Transmission
General Service Demand: GSD-1, GSDDT-1, SS-1	0.930	0.920	0.910
Curtaillable: CS-2, CST-2, CS-3, CST-3, SS-3	0.790	0.780	0.770
Interruptible: IS-2, IST-2, SS-2	0.760	0.750	0.740
Standby Monthly: SS-1, SS-2, SS-3	0.090	0.089	0.088
Standby Daily: SS-1, SS-2, SS-3	0.043	0.043	0.042

TECO

Retail Rate Schedule	Cost Recovery Factor (Cents/kWh) Voltage Level		
	Secondary	Primary	Subtransmission
RS	0.215	-	-
GS and CS	0.192	-	-
GSD Optional	0.175	0.173	0.172
LS1, LS2	0.074	-	-

Retail Rate Schedule	Cost Recovery Factor (Dollars/kW) Voltage Level		
	Secondary	Primary	Subtransmission
GSD, SBD, RSD	0.73	0.73	0.72
GSLDPR	-	0.67	-
GSLDSU	-	-	0.71

FPUC

\$0.00144 per kWh (consolidated levelized conservation cost recovery factor).

Conservation Cost Recovery Billing Cycle Effective Date

We find that the factors shall be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2024 through December 2024. Billing cycles may start before January 1, 2024, and the last cycle may be read after December 31, 2024, so that each customer is billed for 12 months regardless of when the adjustment factor became effective. These charges shall continue in effect until modified by subsequent order of this Commission.

Revised Tariffs Reflecting the Energy Conservation Cost Recovery Factors

We hereby approve revised tariffs reflecting the energy conservation cost recovery factors determined to be appropriate in this proceeding. Commission Staff shall verify that the revised tariffs are consistent with our decision.

Company Specific Issues – TECO

We find that in accordance with Order No. PSC-2021-0423-S-EI, issued November 10, 2021, in Docket No. 20210034, the Contracted Credit Value by voltage level for the forthcoming cost recovery period, January 2024 through December 2024, for the GSLM-2 and GSLM-3 rate riders are as follows:

<u>Voltage Level</u>	<u>Contracted Credit Value (dollars per kW)</u>
Secondary	11.75
Primary	11.63
Subtransmission	11.52

We find that the Residential Price Responsive Load Management (RSVP-1) rates for the period January 2024 through December 2024 are as follows:

<u>Rate Tier</u>	<u>Cents per kWh</u>
P1	-3.713
P2	-1.254
P3	8.184
P4	43.195

Based on the foregoing, it is

ORDERED by the Commission that the stipulations and findings set forth in the body of this order are hereby approved. It is further

ORDERED that each electric public utility that was a party to this docket shall abide by the stipulations and findings herein which are applicable to it. It is further

ORDERED that the utilities named herein are authorized to collect the energy conservation cost recovery amounts and utilize the factors approved herein for the period January 2024 through December 2024. Billing cycles may start before January 1, 2024, and the last cycle may be read after December 31, 2024, so that each customer is billed for 12 months regardless of when the adjustment factor became effective. These charges shall continue in effect until modified by subsequent order of this Commission. It is further

ORDERED that the revised tariffs reflecting the energy conservation cost recovery factors determined to be appropriate in this proceeding are approved. Commission Staff shall verify that the revised tariffs are consistent with our decision herein. It is further

ORDERED that while a separate docket number is assigned each year, the Energy Conservation Cost Recovery Clause is a continuing docket and shall remain open for administrative convenience.

By ORDER of the Florida Public Service Commission this 16th day of November, 2023.



ADAM J. TEITZMAN

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

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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.

CMM

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission (“Commission”) is required by Section 120.569(1), Florida Statutes (“F.S.”), to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, F.S., 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.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) judicial review by the Florida Supreme Court in the case of an electric, gas, or telephone utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.