

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of new standard offer for purchase of firm capacity and energy from renewable energy facilities or small qualifying facilities and approval of revised tariff schedule REF-1, by Gulf Power Company.

DOCKET NO. 100164-EQ

In re: Petition for approval of revisions to standard offer contract and rate schedules COG-1 and COG-2, by Tampa Electric Company.

DOCKET NO. 100167-EI

In re: Petition for approval of amended standard offer contract, by Progress Energy Florida.

DOCKET NO. 100168-EI

In re: Petition for approval of a renewable energy tariff and standard offer contract, by Florida Power & Light Company.

DOCKET NO. 100169-EI
ORDER NO. PSC-10-0340-PCO-EU
ISSUED: June 1, 2010

The following Commissioners participated in the disposition of this matter:

NANCY ARGENZIANO, Chairman
LISA POLAK EDGAR
NATHAN A. SKOP
DAVID E. KLEMENT
BEN A. "STEVE" STEVENS III

ORDER SUSPENDING TARIFFS

BY THE COMMISSION:

BACKGROUND

On February 22, 2007, the Commission adopted amendments to Rule 25-17.0832, Florida Administrative Code, and new Rules 25-17.200-25-17.310, Florida Administrative Code, relating to renewable generating facilities. The new rules require each investor-owned utility (IOU) to file by April 1 of each year a standard offer contract for the purchase of firm capacity and energy from renewable generating facilities and small qualifying facilities with a design capacity of 100 kW or less. Gulf Power Company (Gulf), Tampa Electric Company (TECO), Progress Energy Florida, Inc. (PEF), and Florida Power & Light Company (FPL) have filed the

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required standard offer contracts. We have jurisdiction over this matter pursuant to Section 366.04 and 366.91, Florida Statutes (F.S.).


Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of a new rate schedule, giving the utility a reason or written statement of good cause for doing so within 60 days. We require additional time to gather information and make an informed decision on the proposed standard offer contract tariffs. This reason constitutes good cause to suspend the tariffs, consistent with the requirements of the statute.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Gulf Power Company's, Tampa Electric Company's, Progress Energy Florida, Inc.'s, and Florida Power & Light Company's standard offer contracts are suspended pending further review. It is further

ORDERED that these dockets shall remain open.

By ORDER of the Florida Public Service Commission this 1st day of June, 2010.



ANN COLE
Commission Clerk

(SEAL)

MCB

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.