

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition to modify tariffs to accommodate receipt and transport of renewable natural gas, by Florida Public Utilities Company, Florida Public Utilities - Indiantown Division, Florida Public Utilities - Fort Meade, and Florida Division of Chesapeake Utilities Corporation.

DOCKET NO. 20210088-GU
ORDER NO. PSC-2021-0239-PCO-GU
ISSUED: July 1, 2021

The following Commissioners participated in the disposition of this matter:

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

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Background

On April 21, 2021, Florida Public Utilities Company, Florida Public Utilities-Indiantown Division, Florida Public Utilities-Fort Meade, and Florida Division of Chesapeake Utilities Corporation (the Companies) filed a joint petition with us to create a new Renewable Natural Gas (RNG) rate schedule for biogas producers.¹ This tariff would provide the terms and conditions under which the Companies may provide biogas producers the service of conditioning or upgrading biogas into pipeline quality RNG. In addition, the Companies request approval of modifications to certain existing tariffs to allow for the receipt and transportation of RNG.

We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.06, 366.071, 366.072, 366.076, Florida Statutes (F.S.).

Decision

The proposed tariffs shall be suspended to allow Commission staff the necessary time to review the petition and gather all pertinent information in order to present us with an informed recommendation on the proposed tariff.

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 an increase, a

¹ Biogas is described as raw, freshly emitted, and untreated gas, especially methane, produced by the breakdown of organic matter.

reason, or written statement of good cause for doing so within 60 days. We find that the reason stated above is a 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 the proposed tariffs of Florida Public Utilities Company, Florida Public Utilities-Indiantown Division, Florida Public Utilities-Fort Meade, and Florida Division of Chesapeake Utilities Corporation shall be suspended to allow Commission staff sufficient time to review the petition and gather all pertinent information in order to present us with an informed recommendation on the proposed tariffs.

ORDERED that this docket shall remain open pending our decision on the proposed tariffs.

By ORDER of the Florida Public Service Commission this 1st day of July, 2021.



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.

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.