

FILED 8/20/2024 DOCUMENT NO. 08543-2024 FPSC - COMMISSION CLERK 123 South Calhoun Street

Attorneys and Counselors at Law 123 South Calhoun Street P.O. Box 391 32302 Tallahassee, FL 32301

P: (850) 224-9115 F: (850) 222-7560

ausley.com

August 20, 2024

VIA ELECTRONIC FILING

Mr. Adam J. Teitzman Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

In re: Petition for Rate Increase by Tampa Electric Company

In re: Petition for approval of 2023 Depreciation and Dismantlement Study, by Tampa Electric Company

In re: Petition to implement 2024 Generation Base Rate Adjustment provisions in Paragraph 4 of the 2021 Stipulation and Settlement Agreement, by Tampa Electric Company DOCKET NO. 20240026-EI

DOCKET NO. 20230139-EI

DOCKET NO. 20230090-EI

Dear Mr. Teitzman:

Enclosed for filing in the above docket is Tampa Electric Company's Response to the Office of Public Counsel's Motion and Notice of Intent to Seek Official Recognition and Request for Official Recognition.

Thank you for your assistance in connection with this matter.

Sincerely,

leffry Wahler

JJW/ne Enclosure

cc: All parties of record (w/enc.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by Tampa Electric Company

In re: Petition for approval of 2023

Depreciation and Dismantlement Study, by

Tampa Electric Company

In re: Petition to implement 2024 Generation Base Rate Adjustment provisions in Paragraph 4 of the 2021 Stipulation and Settlement Agreement, by Tampa Electric Company DOCKET NO. 20240026-EI

DOCKET NO. 20230139-EI

DOCKET NO. 20230090-EI

FILED: August 20, 2024

TAMPA ELECTRIC COMPANY'S RESPONSE TO OPC'S MOTION AND NOTICE OF INTENT TO SEEK OFFICIAL RECOGNITION AND REQUEST FOR OFFICIAL RECOGNITION

Pursuant to Rule 28-106.204, Florida Administrative Code,¹ Tampa Electric Company, ("Tampa Electric" or the "company") responds to OPC's Motion and Notice of Intent to Seek Official Recognition ("Motion") filed on August 9, 2024 [DN 08355-2024], and requests that the Commission take Official Recognition of excerpts from three Consumer Affairs Reports attached hereto as Composite Exhibit One, and states:

- 1. The Motion seeks official recognition of (1) written customer comments submitted in this docket and (2) Tampa Electric customer complaints submitted to the Commission since January 1, 2022.
- 2. Although written customer comments in a rate case docket have not traditionally been considered appropriate for official recognition, the company recognizes that the Commission

¹ Tampa Electric notes that the Motion shown in the docket file [DN 08355-2024] for some reason does not contain a certificate of service. It also appears that OPC served Tampa Electric by "dropoff" on August 9, 2024, but counsel for Tampa Electric did not understand that the documents included in the "dropoff" constituted a filing or were being served by that method. Tampa Electric has consulted with OPC and under the circumstances OPC does not object to the timeliness of this response, which Tampa Electric appreciates.

invites customer comments and does not object to the Motion as it relates to customer comments in the docket file.

3. The customer complaints for which OPC seeks official recognition may be official records of the Commission, but the Motion was filed after the dates for pre-filing testimony have passed and the discovery period is complete, leaving Tampa Electric with no meaningful opportunity to file testimony in response. Nevertheless, the company does not object to the Motion as it relates to customer complaints on the condition that the excerpts from the December 2022, December 2023, and June 2024 Consumer Affairs Reports attached hereto as Composite Exhibit One (which are official records of the Commission) are also officially recognized and hereby requests that the Commission do so. Tampa Electric has consulted with OPC and OPC does not object to this request.

Respectfully submitted this 20th day of August 2024.

Respectfully submitted,

J. JEFFRY WAHLEN

jwahlen@ausley.com

MALCOLM N. MEANS

mmeans@ausley.com

VIRGINIA L. PONDER

vponder@ausley.com

Ausley McMullen

Post Office Box 391

Tallahassee, Florida 32302

(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

Composite Exhibit One

FPSC Consumer Activity Reports



CONSUMER ACTIVITY REPORT

December 2022

Electric Companies

Complaint Activity - December 2022

Company Name	Service*	Billing*	Total	Y-T-D
Duke Energy	10	18	28	309
Florida Power & Light Company	11	5	16	435
Florida Public Utilities Company	0	4	4	28
Tampa Electric Company	1	3	4	65
TOTALS**	22	30	52	837

^{*}Please see Definitions.

^{**}Does not include non-certificated complaints logged, complaints transferred via the telephone transfer-connect or e-transfer process, or complaints logged and resolved under the three-day rule.



CONSUMER ACTIVITY REPORT

December 2023

Electric Companies

Complaint Activity - December 2023

Company Name	Service*	Billing*	Total	Y-T-D
Duke Energy	12	17	29	540
Florida Power & Light Company	6	13	19	175
Florida Public Utilities Company	1	1	2	30
Tampa Electric Company	2	2	4	141
TOTALS**	21	33	54	886

^{*}Please see Definitions.

^{**}Does not include non-certificated complaints logged, complaints transferred via the telephone transfer-connect or e-transfer process, or complaints logged and resolved under the three-day rule.



CONSUMER ACTIVITY REPORT June 2024

Electric Companies

Complaint Activity - June 2024

Company Name	Service*	Billing*	Total	Y-T-D
Duke Energy	8	15	23	163
Florida Power & Light Company	3	8	11	91
Florida Public Utilities Company	1	1	2	16
Tampa Electric Company	6	6	12	37
TOTALS**	18	30	48	307

^{*}Please see Definitions.

^{**}Does not include non-certificated complaints logged, complaints transferred via the telephone transfer-connect or e-transfer process, or complaints logged and resolved under the three-day rule.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that electronic copies of the foregoing response has been served by electronic mail on this 20th day of August, 2024 to the following:

Adria Harper
Carlos Marquez
Timothy Sparks
Daniel Dose
Florida Public Service Commission/OGC
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
aharper@psc.state.fl.us

cmarquez@psc.state.fl.us tsparks@psc.state.fl.us ddose@psc.state.fl.us

discovery-gcl@psc.state.fl.us

Walt Trierweiler
Patricia Christensen
Octavio Simoes-Ponce
Charles Rehwinkel
Mary Wessling
Austin Watrous

Office of Public Counsel c/o The Florida Legislature

111 West Madison Street, Room 812

Tallahassee, FL 32399-1400 trierweiler.walt@leg.state.fl.us christensen.patty@leg.state.fl.us ponce.octavio@leg.state.fl.us rehwinkel.charles@leg.state.fl.us

wessling.mary@leg.state.fl.us watrous.austin@leg.state.fl.us

Robert Scheffel Wright

John LaVia, III

Gardner, Bist, Wiener, Wadsworth, Bowden,

Bush, Dee, LaVia & Wright, P.A.

1300 Thomaswood Drive Tallahassee, FL 32308 <u>shef@gbwlegal.com</u> <u>jlavia@gbwlegal.com</u> Jon Moyle Karen Putnal

c/o Moyle Law Firm 118 N. Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com kputnal@moylelaw.com mqualls@moylelaw.com

Leslie R. Newton, Maj. USAF Ashley N. George, Capt. USAF

AFLOA/JAOE-ULFSC 139 Barnes Drive, Suite 1

Tyndall Air Force Base, Florida 32403

<u>Leslie.Newton.1@us.af.mil</u> <u>Ashley.George.4@us.af.mil</u>

Thomas A. Jernigan AFCEC/JA-ULFSC 139 Barnes Drive, Suite 1

Tyndall Air Force Base, Florida 32403

thomas.jernigan.3@us.af.mil

Ebony M. Payton AFCEC-CN-ULFSC 139 Barnes Drive, Suite 1

Tyndall Air Force Base, Florida 32403

Ebony.Payton.ctr@us.af.mil

Michael A. Rivera, Capt, USAF

AFLOA/JAOE-ULFSC 139 Barnes Drive, Suite 1

Tyndall Air Force Base, Florida 32403

Michael.Rivera.51@us.af.mil

Sari Amiel Sierra Club

50 F. Street NW, Eighth Floor

Washington, DC 20001 sari.amiel@sierraclub.org

Bradley Marshall
Jordan Luebkemann
Earthjustice
111 S. Martin Luther King Jr. Blvd.
Tallahassee, FL 32301
bmarshall@earthjustice.org
jluebkemann@earthjustice.org

Hema Lochan
Earthjustice
48 Wall St., 15th Fl
New York, NY 10005
hlochan@earthjustice.org
flcaseupdates@earthjustice.org

Stephanie U. Eaton Spilman Thomas & Battle, PLLC 110 Oakwood Drive, Suite 500 Winston-Salem, NC 27103 seaton@spilmanlaw.com Nihal Shrinath 2101 Webster Street, Suite 1300 Oakland, CA 94612 nihal.shrinath@sierraclub.org

Floyd R. Self Ruth Vafek Berger Singerman, LLP 313 North Monroe Street, Suite 301 Tallahassee, FL 32301 fself@bergersingerman.com rvafek@bergersingerman.com

Steven W. Lee Spilman Thomas & Battle, PLLC 1100 Bent Creek Boulevard, Suite 101 Mechanicsburg, PA 17050 slee@spilmanlaw.com

ORNEY