

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of Tampa Electric Company and the City of Lakeland, Florida, on behalf of its municipal utility, Lakeland Electric, for Approval of Temporary Services.

DOCKET NO. _____

FILED: December 23, 2024

**JOINT PETITION FOR APPROVAL OF
TEMPORARY SERVICES**

Tampa Electric Company (“Tampa Electric”) and the City of Lakeland, Florida, on behalf of its municipal utility, Lakeland Electric (“Lakeland Electric”) (collectively, the “Joint Petitioners” or “Parties,” and “Party” for singular references), pursuant to section 366.04(2)(d), Florida Statutes (2023), and rules 25-6.0440 and 28-106.201 of the *Florida Administrative Code*, jointly petition the Florida Public Service Commission (“Commission”) to approve temporary retail electric services (1) by Lakeland Electric to customers to be located in a new development in Tampa Electric’s electric service area, and (2) by Tampa Electric to customers to be located in a new development in Lakeland Electric’s electric service area. In support, the Joint Petitioners state:

1. Tampa Electric and Lakeland Electric are parties to a currently effective territorial agreement dated May 20, 1991, delineating their respective service territories (the “Agreement”), approved by the Commission in Docket No. 920251-EU, which was first amended by an amendment, dated August 17, 1998, which first amendment was approved by PSC Order No. PSC-99-0024-FOF-EU, issued January

4, 1999, in Docket No. 981263-EU, and second amended by an amendment dated February 3, 2014, which second amendment was approved by PSC Order No. PSC-14-0268-PAA-EU, issued May 28, 2014, in Docket No. 140054-EU, and consummated by Order No. PSC-14-0324-CO-EU issued June 24, 2014.

2. For purposes of this Joint Petition, names, mailing addresses and other contact information of the persons authorized to receive notices and communications are:

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3. Tampa Electric has requested Lakeland Electric to extend and provide retail electric service to 39 lots within a new development, referred to as Shaller Preserve Subdivision, currently located within Tampa Electric's Commission approved retail electric service territory. Lakeland Electric has also requested Tampa Electric to extend and provide retail electric service to a new development, referred to as Phase 2 of Cadence Crossing, currently located within Lakeland Electric's Commission approved retail electric service territory. In analyzing these requests for service, it appears to both Parties that it would be more economical and expeditious for Lakeland Electric to extend and provide retail electric service to the identified portion of Shaller Preserve Subdivision and for Tampa Electric to extend and provide retail electric service to Phase 2 of Cadence Crossing, both on a temporary basis, as each such new development lies in the other Party's electric service territory, given the fact that in both cases, the other Party has distribution facilities that are closer and are ready and able to provide service.

4. Such temporary service is provided for under section 2.2 of the Parties' Commission approved Agreement. The Agreement provides:

TEC and LAKELAND recognize that in exceptional circumstances, economic constraints on either utility or good engineering practices may indicate that a Customer's temporary end use and/or small discrete

service areas and/or future retail Customers should not be immediately served by the utility in whose service territory they are located. In such instances, upon written request by the utility in whose territory the end use facility is located to the other utility, the other utility may agree in writing to provide service to such Customer's temporary end use, small discrete service areas and future retail Customers. Such agreements shall be submitted to the Florida Public Service Commission in accordance with Article IV, Section 4.1 hereof.

5. The Parties have entered into a Letter of Intent (attached hereto as Exhibit "A"), which provides for their discussions to negotiate and agree to an appropriate amendment to the Agreement and to seek the Commission's approval of the same. However, the developers of both the Shaller Reserve Subdivision and Phase 2 of Cadence Crossing desire to move forward with their respective residential developments in a time frame that may not provide for the Parties to develop and negotiate an amendment to the Agreement, and for the PSC's consideration and approval of an amendment to the Agreement, in full. The Parties understand the developers must in a short time frame make design and equipment purchase decisions that are impacted by which of the two utilities, Tampa Electric or Lakeland Electric, ultimately will provide retail service to the new developments. To permit the developers to make their design and acquisition decisions without disruption, to avoid the uneconomic duplication of facilities, and to be responsive utility providers, taking into account the needs and schedule of the developers, Tampa Electric and Lakeland Electric have agreed to work together as set forth in the Letter of Intent.

6. In the furtherance of the Letter of Intent, Tampa Electric has requested Lakeland Electric to provide temporary service pursuant to its letter (attached at

Exhibit “B”) and Lakeland Electric has requested Tampa Electric to provide temporary service pursuant to its letter (attached as Exhibit “C”). Each of the Parties has agreed to extend and provide electric service as requested.

7. Such service by each Party, if approved by the Commission pursuant to this Joint Petition, is temporary in so far as there is not yet an amendment to the Agreement, negotiated and prepared for submission to the Commission for approval, to determinatively amend the boundaries of the Parties’ respective electric service boundaries to provide for the referenced new developments. The Parties will cooperate to negotiate, draft and submit such amendment to the Commission upon approval of the provision of temporary services provided herein.

8. The Commission has approved temporary service for the Parties in the past in Docket No. 970999-EU, as approved by PSC Order No. PSC-97-1485-FOF-EU, issued November 24, 1997. While that previous order of the Commission is precedent for the Commission’s approval of temporary service for the Parties pursuant to the Agreement, the facts and circumstances of the Shaller Preserve Subdivision and Phase 2 of Cadence Crossing, at issue in this Joint Petition, do not share any factual similarity with that earlier temporary service request. Neither the Shaller Preserve Subdivision nor Phase 2 of Cadence Crossing have existing customers that are impacted by this Joint Petition.

WHEREFORE, consistent with the provisions contained in the Commission approved Agreement, the Joint Petitioners respectfully ask the Commission to approve (1) Lakeland Electric's extending and providing retail electric service to Shaller Reserve Subdivision, currently in Tampa Electric's electric service territory, and (2) Tampa Electric's extending and providing retail electric service to Phase 2 of Cadence Crossing, currently in Lakeland Electric's electric service territory, as described in this Joint Petition and its Exhibits.

Respectfully submitted this 23 rd day of December, 2024.

/s/ Malcolm N. Means

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Exhibit A

LETTER OF INTENT

Exhibit B

TAMPA ELECTRIC LETTER

Exhibit C

LAKELAND ELECTRIC LETTER