

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revised lighting tariff closing certain metal halide lighting fixtures to new business by Tampa Electric Company.

DOCKET NO. 080675-EI  
ORDER NO. PSC-08-0818-TRF-EI  
ISSUED: December 19, 2008

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman  
LISA POLAK EDGAR  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

ORDER APPROVING REVISED LIGHTING TARIFF

BY THE COMMISSION:

Tampa Electric Company (TECO) offers several metal halide outdoor lighting fixtures. It has recently been informed by its suppliers that two sizes of lights will no longer be available due to restriction of the Energy Independence and Security Act of 2007 (Energy Act). TECO is requesting to close these two fixtures to new customers as of January 1, 2009. We have jurisdiction over this matter pursuant to Section 366.04, Florida Statutes.

TECO's lighting fixture suppliers have informed the utility that production of 175 watt and 400 watt metal halide outdoor lighting fixtures will no longer be available after January 1, 2009. According to the suppliers, these fixtures cannot be retrofitted or redesigned to meet the new minimum ballast efficiency standards required by the Energy Act and will no longer be manufactured. Both TECO and the vendor were unaware that the new standards would apply to outdoor lighting as well as indoor lights until very recently.

TECO is requesting to close the 175 watt and 400 watt metal halide offerings to new customers only, effective January 1, 2009. TECO believes it will still be able to fill pending orders for new lights, and obtain parts for repairing and replacing existing installations. It has, however, no guarantees on how long the existing parts supply will last. As a result, TECO will inform customers of the change in availability of the 175 watt and 400 watt metal halide fixtures and allow the customers to change their orders if desired.

We approve TECO's request to close these two fixtures to new customers as of January 1, 2009. This will help ensure that replacement parts for existing fixtures remain available for as long as possible. Customers will be informed of the limitations on the 175 watt and 400 watt metal halide fixtures and given the opportunity to change to a different size or style of light. At such time as TECO identifies a new, similar fixture which will meet the Energy Act standards, it will file a new tariff.

DOCUMENT NUMBER-DATE

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PSC-COMMISSION CLERK

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that TECO's request to cease offering metal halide outdoor lighting fixtures for 175 watts and 400 watts to new customers is approved, effective January 1, 2009. It is further

ORDERED that the docket shall be closed if no person whose interests are substantially affected by our decision files a protest within the 21-day protest period. If no timely protest is filed, this docket shall be closed upon issuance of the consummating order.

By ORDER of the Florida Public Service Commission this 19th day of December, 2008.



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ANN COLE  
Commission Clerk

( S E A L )

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#### NOTICE OF FURTHER PROCEEDINGS

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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the proposed action files a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This

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petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 9, 2009.

In the absence of such a petition, this Order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.