

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revisions to  
GSLM-2 and GSLM-3 load management  
riders, by Tampa Electric Company.

DOCKET NO. 090151-EI  
ORDER NO. PSC-09-0344-TRF-EI  
ISSUED: May 21, 2009

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING PROPOSED TARIFF

BACKGROUND

On September 10, 1999, we approved Tampa Electric's (TECO) proposal to close its remaining open Interruptible Service Rates (IS-3, IST-3, SBI-3) and implement new rate schedules, General Service Load Management Rider (GSLM-2) and the General Service Industrial Standby and Supplemental Load Management Rider (GSLM-3).<sup>1</sup> This option offered a Demand Side Management (DSM) credit to otherwise applicable firm rates for new customers who were willing to allow TECO to interrupt their service in times of capacity shortages. In that September 1, 1999, Order, we found that the IS-3 and IST-3 rates were not cost-effective and shall be closed to new customers. The Order further found that the new riders provided a cost-effective alternative to the existing IS-3 and IST-3 rate schedules.

The Florida Industrial Power Users Group (FIPUG) protested Order No. PSC-99-1778-FOF-EI, on October 1, 1999. FIPUG protested both the closure of the IS-3 rate schedules and the creation of the new GSLM-2 and GSLM-3 rate schedules. On January 27, 2000, the parties filed a Settlement Stipulation and Motion for Acceptance of Stipulation and Closure of the docket. We approved the stipulation by Order No. PSC-00-0374-S-EI.<sup>2</sup> The GSLM-2 and GSLM-3 tariffs became effective February 22, 2000. In addition to the approval of the new GSLM-2 and GSLM-3 tariffs, the stipulation agreed to the closure of IS-3 to new customers and provided certain protections to existing IS-3 customers regarding fluctuations in load, relocation of accounts, and interruption schedules.

On March 27, 2009, TECO filed a revision to the General Service Load Management Riders, GSLM-2 and GSLM-3, to remove the customer charge. Customers taking service on the Riders must also take service on another base rate schedule, which also has a customer charge.

<sup>1</sup> See Order No. PSC-99-1778-FOF-EI, issued September 1, 1999, in Docket No. 990037-EI, In re: Petition of Tampa Electric Company to close Rate Schedules IS-3 and IST-3 and approve new Rate Schedules GSLM-2 and GSLM-3.

<sup>2</sup> See Order No. PSC-00-0374-S-EI, issued February 22, 2000, in Docket No. 990037-EI, In re: Petition of Tampa Electric Company to close Rate Schedules IS-3, IST-3 and approve new Rate Schedules GSLM-2 and GSLM-3.

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FPSC-COMMISSION CLERK

Based upon decisions in TECO's current rate case, Docket No. 080317-EI, In re: Petition for Rate Increase by Tampa Electric, TECO determined that the customer charges approved in its rate case are cost-compensatory, and there is no longer a need to recover any incremental customer costs associated with providing service under the Riders.

We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes.

### DECISION

At the March 17, 2009, Agenda Conference, in Docket No. 080317-EI, we approved restructuring TECO's existing interruptible service tariffs from a discount rate to a credit based DSM program. Customers previously served on the old IS-1 and IS-3 rate schedules are now taking service on a new IS rate schedule, in conjunction with the GSLM-2 and the GSLM-3. From a cost of service perspective, the rates for the new IS rate schedule are designed based on the customers' measured usage characteristics, and the DSM credit for interruption is accomplished through the application of the GSLM-2 and GSLM-3 riders.

Under the existing tariffs, customers taking service on the GSLM-2 or GSLM-3 riders would pay two customer charges, one for the underlying General Service Demand (GSD) or IS rate, and another for the GSLM riders. As discussed in the Case Background, the GSLM-2 and GSLM-3 riders were approved outside of a general rate case, and at that time customer charges were considered appropriate to recover the incremental cost associated with the riders. TECO has now determined that the recently approved customer charges for the underlying GSD and IS rate schedules are fully cost compensatory and the additional customer charges on the GSLM-2 and GSLM-3 riders are no longer necessary. The filing in this docket removes the customer charge from these schedules.

At the current time, TECO has no customers taking service under either the GSLM-2 or GSLM-3 rate riders. However, the new IS rate class will be taking service under these riders effective with the implementation of the new rates approved in the rate case. Therefore, TECO requests that the change proposed in this docket be expedited so as to be effective on or before May 7, 2009, when the new rates from the rate case become effective. We find that the proposed change is reasonable and beneficial to customers, and it shall be therefore approved.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Tampa Electric Company's proposed revision to the General Service Load Management Riders, GSLM-2 and GSLM-3, to remove the customer charge is approved. It is further

ORDERED that the proposed revision to the General Service Load Management Riders, GSLM-2 and GSLM-3, to remove the customer charge shall become effective on May 7, 2009. It is further

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ORDERED that if a protest is filed within 21 days of the issuance of the order, this tariff shall remain in effect, with any revenues held subject to refund, pending resolution of the protest. It is further

ORDERED that if no timely protest is filed, this docket shall be closed upon the issuance of a consummating order.

By ORDER of the Florida Public Service Commission this 21st day of May, 2009.



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ANN COLE  
Commission Clerk

( S E A L )

KY

DISSENT BY: COMMISSIONER ARGENZIANO

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 petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on June 11, 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.