

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of amended standard offer contract, by Progress Energy Florida, Inc.

DOCKET NO. 120067-EI

In re: Petition for approval of revisions to renewable energy tariff, by Florida Public Utilities Company.

DOCKET NO. 120069-EQ

In re: Petition for approval of new standard offer for purchase of firm capacity and energy from renewable energy facilities or small qualifying facilities and approval of revised tariff schedule REF-1, by Gulf Power Company.

DOCKET NO. 120071-EQ

In re: Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.

DOCKET NO. 120072-EQ

In re: Petition for approval of revisions to standard offer contract and rate schedules COG-1 and COG-2, by Tampa Electric Company.

DOCKET NO. 120074-EI
ORDER NO. PSC-12-0233-PCO-EU
ISSUED: May 14, 2012

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

ORDER SUSPENDING TARIFFS

BY THE COMMISSION:

Case Background

Rules 25-17.200 through 25-17.310, Florida Administrative Code (F.A.C.), require each investor-owned utility (IOU) to file with the Commission by April 1 of each year a standard offer contract for the purchase of firm capacity and energy from renewable generating facilities and small qualifying facilities with a design capacity of 100 kW or less.

DOCUMENT NUMBER DATE

03066 MAY 14 2012

FPSC-COMMISSION CLERK

On March 30, 2012, petitions for approval of amended standard offer contracts and renewable energy tariffs were received from Progress Energy Florida, Inc. (PEF) and Florida Public Utilities Company (FPUC). On April 2, 2012, petitions for approval of amended standard offer contracts and renewable energy tariffs were received from Florida Power & Light Company (FPL), Tampa Electric Company (TECO), and Gulf Power Company (GULF).

We have jurisdiction over the standard offer contracts pursuant to Sections 366.04 and 366.91, Florida Statutes (F.S.).

Decision

Pursuant to Rule 25-17.250, F.A.C., PEF, FPUC, FPL, TECO, and GULF filed revisions to their respective standard offer contracts and associated tariffs, in each of their respective dockets in accordance with Rule 25-17.250, F.A.C. Pursuant to Section 366.06(3), F.S., we must respond to the petitions within sixty days, or the revised renewable energy tariffs will automatically become effective.

Our staff has recommended that the proposed tariffs be suspended to allow sufficient time to review the petitions and gather all pertinent information in order to present informed recommendations on the tariffs' proposals. Failure to suspend the proposed tariffs within sixty days will result in the tariffs becoming effective.

Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such increase a reason or written statement of good cause for doing so within 60 days.

We find that taking time to thoroughly review the petitions is good cause consistent with the requirement of Section 366.06(3), F.S. We find it appropriate therefore to suspend the proposed tariffs to allow sufficient time for our staff to review the petitions, gather all pertinent information, and present informed recommendations on the tariffs' proposals.

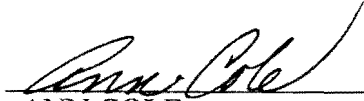
Given our decision to suspend the tariffs, the dockets shall remain open to allow our staff adequate time to review the filings and to provide recommendations on the merits of the filings.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Progress Energy Florida, Inc., Florida Public Utilities Company, Florida Power & Light Company, Tampa Electric Company, and Gulf Power Company's proposed standard offer contracts and tariffs are suspended. It is further

ORDERED that the dockets shall remain open pending final actions on the tariffs.

By ORDER of the Florida Public Service Commission this 14th day of May, 2012.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

PER

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.