

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Analysis of IOUs' hedging practices.

DOCKET NO. 20170057-EI
ORDER NO. PSC-2017-0346-PCO-EI
ISSUED: September 7, 2017

ORDER GRANTING TAMPA ELECTRIC COMPANY'S
MOTION TO SUSPEND SCHEDULE

This docket was opened by Commission staff on February 28, 2017, to review the natural gas hedging practices used by Florida's generating investor-owned electric utilities (IOUs).¹ Natural gas hedging practices were at issue in the 2015 and 2016 Fuel Clause dockets² as well as being the subject of a workshop held on February 21, 2017, in which all of the IOUs, including Gulf Power Company (Gulf), participated.

On March 27, 2017, Commission staff filed a recommendation advising that a risk-responsive approach to natural gas hedging was appropriate. Staff's proposed agency action recommendation was considered at the Commission's April 4, 2017 Agenda Conference, where it was decided that this docket would be set directly for hearing. At that time all of the IOUs were listed as parties of record. The Office of Public Counsel (OPC), Sierra Club, Florida Industrial Power Users (FIPUG), and White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate-White Springs, have subsequently been acknowledged as an intervenor or granted intervenor status in this docket.³ On May 30, 2017, Gulf filed a Motion Withdrawing Party Status (Motion) which was granted by Order No. PSC-17-0215-PCO-EI, issued on June 12, 2017. This matter is set for hearing on September 27-28, 2017. As part of their prehearing discovery, the parties and staff have also scheduled two weeks of depositions, commencing September 7, 2017.

On September 5, 2017, Tampa Electric Company (TECO) filed an Unopposed Motion to Suspend Schedule in this docket, noting that the matter is currently set to go to hearing on September 27 and 28, 2017, with prehearing statements due September 7 and a Prehearing Conference scheduled for September 19, 2017. TECO states that Hurricane Irma, a Category 5 hurricane, currently poses a significant threat to the entire state of Florida. On September 4, 2017, Governor Scott issued Executive Order No. 17-235 declaring a state of emergency in response to Hurricane Irma to ensure that local governments and others have ample time, resources, and flexibility to get prepared for this dangerous storm and are not hindered, delayed, or prevented from taking all necessary actions to keep communities safe. Utility personnel involved in preparing for and participating in the scheduled hearing in this docket have other

¹ Florida Power & Light Company, Duke Energy Florida, LLC, Tampa Electric Company and Gulf Power Company.

² Docket Nos. 150001-EI and 160001-EI, In re: Fuel and purchased power cost recovery clause with generating performance incentive factor.

³ Order No. PSC-17-0117-PCO-EI, issued March 31, 2017; Order No. PSC-17-0179-PCO-EI, issued May 17, 2017; Order No. PSC-17-0180-PCO-EI, issued May 17, 2017; Order No. PSC-17-0181-PCO-EI, issued May 17, 2017.

hurricane-related duties and responsibilities which may detract from their ability to prepare for and participate in pending depositions and other activities in preparation for hearing. Based on uncertainties in connection with Hurricane Irma, TECO requests that the schedule of depositions currently slated for September 7 through September 15, 2017, the prehearing statement due date of September 7, 2017, and the September 27-28, 2017, hearing be postponed, and that the currently scheduled Prehearing date of September 19, 2017, be utilized as a status conference to address rescheduling this docket. TECO contends that the suspension of the schedule in these circumstances is reasonable, especially in light of the fact that all other affected utilities are currently under a hedging moratorium. Finally, TECO states that it has contacted all parties of record in this proceeding and is authorized to represent that the parties either support the company's motion, or take no position with respect to the motion.

Based on the foregoing, I find it is reasonable and appropriate to grant TECO's Motion. The prehearing statements, hearing dates, and all discovery actions, including depositions, are hereby postponed. The scheduled Prehearing date of September 19, 2017, shall be utilized instead as a status conference to address the appropriate rescheduling of this docket.

Based on the foregoing, it is

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that Tampa Electric Company's Unopposed Motion to Suspend Schedule is hereby granted. It is further

ORDERED that the prehearing statements, hearing, and all discovery actions, including depositions, currently scheduled in this matter, are postponed. It is further

ORDERED that the Prehearing, currently scheduled for September 19, 2017, shall be utilized instead as a status conference, to discuss the appropriate rescheduling of this docket.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 7th day of September, 2017.



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

JSC

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.