

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of smart outdoor lighting services pilot program by Duke Energy Florida, LLC.

DOCKET NO. 20230068-EI
ORDER NO. PSC-2023-0182-PCO-EI
ISSUED: June 26, 2023

The following Commissioners participated in the disposition of this matter:

ANDREW GILES FAY, Chairman
ART GRAHAM
GARY F. CLARK
MIKE LA ROSA
GABRIELLA PASSIDOMO

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

BACKGROUND

On May 15, 2023, Duke Energy Florida, LLC (Duke) filed a petition for approval of the smart outdoor lighting services pilot program (pilot program). Specifically, Duke is proposing to make modifications to Tariff Sheet Nos. 6.280 and 6.281 to allow certain customers who take service under the existing LS-1 lighting tariff to set their own personal lighting schedule and to dim the lights. The LS-1 lighting tariff is available to any customer for the sole purpose of lighting roadways or other outdoor land use areas. Currently, the energy rates for the LS-1 tariff are set for all customers based on the same lighting schedule (dusk to dawn). In its petition, Duke asserts that the pilot program will allow it to gather data on energy usage changes so that it can consider a future permanent program that is appropriately priced. Duke proposes to limit participation in the pilot program to 10,000 lights, while also reserving the right to allow additional participation. If approved, the pilot program would last 18 months from the day of the final Commission order approving the petition.

This order is to suspend the proposed tariffs. We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

DECISION

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 a change a reason or written statement of good cause for doing so within 60 days. Our Staff has recommended that this tariff be suspended to allow sufficient time for them to review the petition and gather all pertinent information in order to present us with an informed recommendation on the tariff proposals. We find that the necessity for sufficient time to review the Company's proposal constitutes good cause consistent with the requirements of Section 366.06(3), F.S.

Based on the foregoing, it is

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ORDERED by the Florida Public Service Commission that Duke Energy Florida, LLC's proposed outdoor lighting services pilot program and tariff shall be suspended to allow Commission staff sufficient time to review the petition and gather all pertinent information in order to present us with an informed recommendation on the tariff proposal. It is further

ORDERED that this docket shall remain open pending our decision on the proposed tariffs.

By ORDER of the Florida Public Service Commission this 26th day of June, 2023.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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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.

SBr

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.