

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition to implement 2024 generation base rate adjustment provisions in paragraph 4 of the 2021 stipulation and settlement agreement, by Tampa Electric Company.

DOCKET NO. 20230090-EI
ORDER NO. PSC-2023-0303-PCO-EI
ISSUED: October 12, 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 August 16, 2023, Tampa Electric Company (TECO or Company) filed a petition to implement the 2024 Generation Base Rate Adjustment (GBRA) provisions pursuant to its 2021 rate case Stipulation and Settlement Agreement (settlement agreement). We previously approved the settlement agreement in Order No. PSC-2021-0423-S-EI (2021 settlement order).¹ The GBRA provisions of the settlement order and agreement provide for an increase in base rates to reflect the 2024 GBRA amount of \$21,376,909, effective with the first billing cycle of January 2024.² In this petition, TECO proposed to increase the GBRA amount to \$21,689,323 to reflect the updated 10.20 percent mid-point return on equity (ROE) allowed by a trigger provision of the 2021 settlement agreement and approved by us on August 16, 2022, in Docket No. 20220122-EI.³ In Order No. PSC-2022-0434-TRF-EI, we approved TECO's 2023 GBRA provision of the 2021 settlement agreement.⁴ During the review process, Commission staff issued a data request to TECO on September 7, 2023, for which responses were received on September 14, 2023. On October 2, 2023, Commission staff had an informal meeting with TECO and the Office of Public

¹ Order No. PSC-2021-0423-S-EI, issued November 10, 2021, in Docket No. 20210034-EI, *In re: Petition for rate increase by Tampa Electric Company*.

² See page 20 in Order No. PSC-2021-0423-S-EI, issued November 10, 2021, in Docket No. 20210034-EI, *In re: Petition for rate increase by Tampa Electric Company*.

³ Order No. PSC-2022-0322-FOF-EI, issued September 12, 2022, in Docket No. 20220122-EI, *In re: Petition for limited proceeding rate increase to implement return on equity provisions in 2021 agreement, by Tampa Electric Company*.

⁴ Order No. PSC-2022-0434-TRF-EI, issued December 21, 2022, in Docket No. 20220148-EI, *In re: Petition to implement 2023 generation base rate adjustment provisions in 2021 agreement, by Tampa Electric Company*.

Counsel to discuss TECO's filing in the petition. This is our order to suspend the proposed tariffs. We have jurisdiction over this matter pursuant to Sections 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

Decision

We find that TECO's revised tariffs to implement the 2024 GBRA increase effective January 2024 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 proposed tariff modifications.

Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of the new rate schedules, delivering to the utility requesting such a change a reason or written statement of a good cause for doing so within 60 days. We find that the reason stated above is a good cause consistent with the requirement of Section 366.06(3), F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Tampa Electric Company's revised tariffs to implement the 2024 Generation Base Rate Adjustment increase effective January 2024 shall be suspended. It is further

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

By ORDER of the Florida Public Service Commission this 12th day of October, 2023.



ADAM J. TEITZMAN

Commission Clerk

Florida Public Service Commission

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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.

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.