

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of swing service
rider rates for January through December 2024,
by Florida Public Utilities Company.

DOCKET NO. 20230096-GU
ORDER NO. PSC-2023-0316-PCO-GU
ISSUED: October 20, 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 SUPENDING SWING SERVICE RIDER RATES

BY THE COMMISSION:

Background

On August 29, 2023, Florida Public Utilities Company (FPUC) filed a petition for approval of revised Swing Service Rider Rates and associated tariffs for the period January 2024 through December 2024.

We first approved FPUC's swing service rider tariff in Order No. PSC-16-0422-TRF-GU (swing service order), and the initial Swing Service Rider Rates were in effect for the period March through December 2017.¹ As required in the swing service order, FPUC submitted the instant petition with revised 2024 Swing Service Rider Rates for approval before September 1, 2023. The January through December 2023 Swing Service Rider Rates were approved in Order No. PSC-2022-0378-TRF-GU.² The swing service rider is a cents per therm charge that is included in the monthly gas bill of transportation customers who purchase gas from third-party marketers and therefore do not pay the purchased gas adjustment charge. During its evaluation of the petition, Commission staff issued a data request to the company on September 14, 2023. This is our order to suspend the proposed tariffs.

¹ Order No. PSC-16-0422-TRF-GU, issued October 3, 2016, in Docket No. 160085-GU, *In re: Joint petition for approval of swing service rider, by Florida Public Utilities Company, Florida Public Utilities Company-Indiantown Division, Florida Public Utilities Company-Fort Meade, and Florida Division of Chesapeake Utilities Corporation.*

² Order No. PSC-2022-0378-TRF-GU, issued November 7, 2022, Docket No. 20220154-GU, *In re: Joint petition for approval of swing service rider rates for January through December 2023, by Florida Public Utilities Company, Florida Public Utilities Company-Indiantown Division, Florida Public Utilities Company-Fort Meade, and Florida Division of Chesapeake Utilities Corporation.*

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 a written statement of good cause for doing so within 60 days.

Our staff requires sufficient time to review the petition and gather all pertinent information in order to present us with an informed recommendation on FPUC's tariff proposal. This constitutes good cause consistent with the requirements of Section 366.06(3), F.S.

Therefore, FPUC's proposed revised Swing Service Rider Rates and associated tariffs for the period January through December 2024 shall be suspended.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that FPUC's proposed revised Swing Service Rider Rates and associated tariffs for the period January through December 2024 shall be suspended

ORDERED that this docket shall remain open pending our decision on FPUC's proposed revised Swing Service Rates and associated tariffs.

By ORDER of the Florida Public Service Commission this 20th 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.

AAW

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.