

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for rate increase by Tampa Electric Company.	DOCKET NO. 20240026-EI
In re: Petition for approval of 2023 depreciation and dismantlement study, by Tampa Electric Company.	DOCKET NO. 20230139-EI
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-2024-0160-PCO-EI ISSUED: May 20, 2024

ORDER DENYING OFFICE OF PUBLIC COUNSEL'S MOTION FOR AN ADDITIONAL EVENING CUSTOMER SERVICE HEARING

On May 6, 2024, the Office of Public Counsel (“OPC”) filed a Motion for an Additional Evening Customer Service Hearing. On May 7, 2024, Florida Rising, Inc. (“Florida Rising”) and League of United Latin American Citizens of Florida (“LULAC”) filed a Notice of Joinder in OPC’s motion. No other party has filed in support of, or opposition to, OPC’s motion.

Parties’ Arguments

OPC contends that the anticipated schedule of customer service hearings provides insufficient opportunity for customer input. OPC states that only one of the three customer service hearings are designated as “in-person.” By way of comparison, OPC notes that in Tampa Electric Company’s 2009 rate case proceeding, two in-person customer service hearings were held. OPC alleges that working customers would be unlikely to have time to attend the in-person hearing scheduled for June 13, 2024, at 10:00 a.m. OPC alleges that in-person customer service hearings offer more opportunities for engagement and interaction than do virtual meetings. OPC specifically requests that the Florida Public Service Commission (“Commission”) schedule an additional in-person customer service hearing after 6:00 p.m.

Florida Rising and LULAC joined OPC’s motion. Florida Rising and LULAC add that many of their members work full-time jobs and are unavailable to attend the currently scheduled in-person customer service hearing on June 13, 2024.

Decision

There is no statutory or administrative rule formula by which customer service hearings are set. The Commission establishes each customer service hearing schedule based upon the specific circumstances of the case at issue. Although prior customer service hearing schedules

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from other dockets are informative, they do not establish hard standards and baselines that bind future Commissions.

Since 2009, the Commission has conducted several customer service hearings in other dockets virtually, which allows customers to participate by telephone from any location with wired or wireless service. Experience indicates that overall participation may increase if customers are allowed the option to participate in these types of hearings virtually,¹ and that customers may actually prefer virtual to in-person participation.² Taking into account this experience as well as historic practice, the current schedule combines two virtual and one in-person customer service hearings. This schedule affords multiple opportunities and choices for customers who wish to participate.³ OPC, Florida Rising, and LULAC have not demonstrated a need at this time to further expand this schedule to include an additional in-person customer service hearing.

Having fully considered the arguments raised, OPC's motion (joined by Florida Rising and LULAC) is hereby denied.

Based on the foregoing, it is

ORDERED by Commissioner Gary F. Clark, as Prehearing Officer, that the Office of Public Counsel's Motion for an Additional Evening Customer Service Hearing is DENIED.

¹ *In re: Petition for rate increase by Fla. City Gas*, Docket No. 20220069-GU, Order No. PSC-2022-0276-PCO-GU (Fla. PSC July 15, 2022) (noting 162.5% increase in total number of participating customers in the virtual customer service hearings held in the Peoples Gas System's 2020 rate case compared to the in-person customer service hearings held in the Peoples Gas System's 2008 rate case).

² *See In re: Petition for rate increase by Fla. City Gas*, Docket No. 20220069-GU, Order No. PSC-2023-0177-FOF-GU (Fla. PSC June 9, 2023) (noting more customers participated in the virtual customer service hearings than the in-person customer service hearings).

³ In addition to the in-person and virtual customer service hearings, customers may provide comments by (1) calling the Commission's Office of Consumer Assistance and Outreach at 1-800-342-3552 or (2) sending a letter to the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. Rule 25-22.0406(2), Florida Administrative Code; *In re: Petition for rate increase by Tampa Elec. Co.*, Docket No. 20240026-EI, Order No. PSC-2024-0096-PCO-EI (Fla. PSC Apr. 16, 2024). Any written comments should refer to Docket No. 20240026-EI. *Id.*

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By ORDER of Commissioner Gary F. Clark, as Prehearing Officer, this 20th day of May,
2024.



GARY F. CLARK
Commissioner and Prehearing Officer
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.

CMM

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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.

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. 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.