

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery
clause.

DOCKET NO. 20240002-EG
ORDER NO. PSC-2024-0466-PHO-EG
ISSUED: October 31, 2024

PREHEARING ORDER

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code (F.A.C.), a Prehearing Conference was held on October 24, 2024, in Tallahassee, Florida, before Commissioner Gabriella Passidomo, as Prehearing Officer.

APPEARANCES:

JOEL T. BAKER, MARIA JOSE MONCADA, and WILLIAM P. COX,
ESQUIRES, 700 Universe Boulevard, Juno Beach, Florida 33408
On behalf of FLORIDA POWER & LIGHT COMPANY (FPL).

DIANNE M. TRIPLETT, ESQUIRE, 299 First Avenue North, St. Petersburg,
Florida 33701

MATTHEW R. BERNIER, STEPHANIE A. CUELLO, and ROBERT L.
PICKELS, ESQUIRES, 106 East College Avenue, Suite 800, Tallahassee, Florida
32301

On behalf of DUKE ENERGY FLORIDA, LLC (DEF).

J. JEFFRY WAHLEN, MALCOLM N. MEANS, and VIRGINIA L. PONDER,
ESQUIRES, Ausley McMullen, Post Office Box 391, Tallahassee, Florida 32302
On behalf of TAMPA ELECTRIC COMPANY (TECO).

BETH KEATING, ESQUIRE, Gunster, Yoakley & Stewart, P.A., 215 South
Monroe Street, Suite 601, Tallahassee, Florida 32301

On behalf of FLORIDA PUBLIC UTILITIES COMPANY (FPUC).

WALT TRIERWEILER, CHARLES J. REHWINKEL, PATRICIA A.
CHRISTENSEN, MARY A. WESSLING, OCTAVIO PONCE, and AUSTIN
WATROUS, ESQUIRES, c/o The Florida Legislature, 111 West Madison Street,
Suite 812, Tallahassee, Florida 32399

On behalf of the OFFICE OF PUBLIC COUNSEL (OPC).

JON C. MOYLE, JR. and KAREN A. PUTNAL, ESQUIRES, Moyle Law Firm,
P.A. 118 North Gadsden Street, Tallahassee, Florida 32301

On behalf of FLORIDA INDUSTRIAL POWER USERS GROUP (FIPUG).

PETER J. MATTHEIS, MICHAEL K. LAVANGA, and JOSEPH R. BRISCAR, ESQUIRES, Stone, Mattheis, Xenopoulos & Brew, PC, 1025 Thomas Jefferson Street, NW, Eighth Floor, West Tower, Washington, D.C. 20007
On behalf of NUCOR STEEL FLORIDA, INC. (Nucor).

JAMES W. BREW, LAURA WYNN BAKER, and SARAH B. NEWMAN, ESQUIRES, Stone, Mattheis, Xenopoulos & Brew, PC, 1025 Thomas Jefferson Street, NW, Eighth Floor, West Tower, Washington, D.C. 20007
On behalf of WHITE SPRINGS AGRICULTURAL CHEMICALS INC. d/b/a PCS PHOSPHATE – WHITE SPRINGS (PCS Phosphate).

CARLOS M. MARQUEZ II, SAAD FAROOQI, and JACOB IMIG, ESQUIRES, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399
On behalf of FLORIDA PUBLIC SERVICE COMMISSION STAFF (Staff).

MARY ANNE HELTON, ESQUIRE, Deputy General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Advisor to the Florida Public Service Commission.

KEITH C. HETRICK, ESQUIRE, General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Florida Public Service Commission General Counsel.

I. CASE BACKGROUND

The Energy Conservation Cost Recovery Clause allows electric public utilities to seek recovery of costs for energy conservation programs on an annual basis, pursuant to Sections 366.80–366.83, Florida Statutes (F.S.), and Chapter 25-17, F.A.C. As part of the Florida Public Service Commission’s (Commission) continuing energy conservation cost recovery proceedings, an administrative hearing in this docket is set for November 5–7, 2024.

II. CONDUCT OF PROCEEDINGS

Pursuant to Rule 28-106.211, F.A.C., this Prehearing Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

III. JURISDICTION

This Commission is vested with jurisdiction over this subject matter by the provisions of Chapters 120 and 366, F.S. This hearing will be governed by said Chapters and by Chapters 25-6, 25-22, 28-106, and 28-109, F.A.C., as well as any other applicable provisions of law.

IV. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

Information for which proprietary confidential business information status is requested pursuant to Section 366.093, F.S., and Rule 25-22.006, F.A.C., shall be treated by the Commission as confidential. The information shall be exempt from Section 119.07(1), F.S., pending a formal ruling on such request by the Commission or pending return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been made a part of the evidentiary record in this proceeding, it shall be returned to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of this proceeding, it shall be returned to the person providing the information within the time period set forth in Section 366.093, F.S. The Commission may determine that continued possession of the information is necessary for the Commission to conduct its business.

It is the policy of this Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, F.S., to protect proprietary confidential business information from disclosure outside the proceeding. Therefore, any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, F.S., at the hearing shall adhere to the following:

- (1) When confidential information is used in the hearing that has not been filed as prefiled testimony or prefiled exhibits, parties must have copies for the Commissioners, necessary Staff, and the court reporter, in red envelopes clearly marked with the nature of the contents and with the confidential information highlighted. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.
- (2) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise confidentiality. Therefore, confidential information should be presented by written exhibit when reasonably possible.

At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the court reporter shall be retained in the Office of Commission Clerk's confidential files. If such material is admitted into the evidentiary record at hearing and is not otherwise subject to a request for confidential classification filed

with the Commission, the source of the information must file a request for confidential classification of the information within 21 days of the conclusion of the hearing, as set forth in Rule 25-22.006(8)(b), F.A.C., if continued confidentiality of the information is to be maintained.

V. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties (and Staff) has been prefiled and will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to timely and appropriate objections. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Summaries of testimony shall be limited to three minutes.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple, "Yes" or "No," answer shall be so answered first, after which the witness may explain his or her answer. After all parties and Staff have had the opportunity to cross-examine the witness, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

The parties shall avoid duplicative or repetitious cross-examination. Further, friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose testimony is adverse to the party desiring to cross-examine. Any party conducting what appears to be a friendly cross-examination of a witness should be prepared to indicate why that witness' direct testimony is adverse to its interests.

VI. ORDER OF WITNESSES

Each witness whose name is preceded by an asterisk (*) is excused from appearing at the final hearing. Their respective testimonies will be entered into the record as though read and exhibits admitted.

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
<u>Direct</u>		
* Richard L. Hume	FPL	1-7, 10

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
* L. Kay Hill	FPL	1–2, 4–5
* Karla Rodriguez	DEF	1–7, 10
* M. Ashley Sizemore	TECO	1–10
* Derrick M. Craig	FPUC	1–7, 10

VII. BASIC POSITIONS

FPL: FPL’s 2025 Conservation Cost Recovery Factors for the January 2025 through December 2025 recovery period, which include the 2023 net final true-up for FPL and the 2024 actual/estimated true-up for FPL, are appropriate and reasonable and should be approved.

DEF: The Commission should determine that DEF has properly calculated its conservation cost recovery true-up and projection costs and should approve the conservation cost recovery factors for the period January 2025 through December 2025 set forth in the testimony and exhibits of witness Karla Rodriguez.

TECO: The Commission should determine that TECO properly calculated its conservation cost recovery true-up and projections and the conservation cost recovery factors set forth in the direct testimony and exhibits of witness M. Ashley Sizemore for the period January 2025 through December 2025.

The Commission should approve the Contracted Credit Value in accordance with Order No. PSC-2021-0423-S-EI, issued November 10, 2021, in Docket No. 20210034, for the GSLM-2 and GSLM-3 rate riders for use during the period January 2025 through December 2025.

The Commission should also approve the Residential Price Responsive Load Management (RSVP-1) rate tiers for TECO for the period January 2025 through December 2025 as set forth in witness Sizemore’s testimony and exhibits.

FPUC: The Commission should approve FPUC’s final net true-up for the period January through December 2023, the estimated true-up for the period January through December 2024, and the projected conservation program expenses for the period January through December 2025.

OPC: The utilities bear the burden of proof to justify the recovery of costs they request in this docket. The utilities must carry this burden regardless of whether or not the intervenors provide evidence to the contrary. Further, the utilities bear the burden

of proof to support their proposals seeking the Commission's adoption of policy statements (whether new or changed) or other affirmative relief sought. Even if the Commission has previously approved a program, recovery of a cost, factor, or adjustment as meeting the Commission's *own* requirements, the utilities still bear the burden of demonstrating that the costs submitted for final recovery meet any statutory tests and are reasonable in amount and prudently incurred. Further, recovery of even prudently incurred costs is constrained by the Commission's obligation to set fair, just, and reasonable rates. Further, pursuant to Section 366.01, F.S., the provisions of Chapter 366 must be liberally construed to protect the public welfare.

FIPUG: The utilities bear the burden of proof to justify the recovery of costs they request in this docket as reasonable and prudent. The utilities must carry this burden regardless of whether FIPUG or other parties introduce evidence to the contrary. The utilities must also carry their burden of proof to support their proposals asking the Commission's adoption of policy statements (whether new or changed) or other affirmative relief sought.

NUCOR: Nucor's basic position is that DEF bears the burden of proof to justify the costs it seeks to recover through the Energy Conservation Cost Recovery Clause and any other relief DEF requests in this proceeding.

PCS

Phosphate: PCS Phosphate generally adopts the positions taken by OPC unless a differing position is specifically stated.

STAFF: Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

VIII. ISSUES AND POSITIONS

GENERIC CONSERVATION COST RECOVERY ISSUES

ISSUE 1: **What are the final conservation cost recovery adjustment true-up amounts for the period January 2023 through December 2023?**

Proposed stipulation – See Section X infra.

ISSUE 2: What are the appropriate conservation adjustment actual/estimated true-up amounts for the period January 2024 through December 2024?

Proposed stipulation – See Section X infra.

ISSUE 3: What are the appropriate total conservation adjustment true-up amounts to be collected/refunded in the period January 2025 through December 2025?

Proposed stipulation – See Section X infra.

ISSUE 4: What are the total conservation cost recovery amounts to be collected during the period January 2025 through December 2025?

Proposed stipulation – See Section X infra.

ISSUE 5: What are the conservation cost recovery factors for the period January 2025 through December 2025?

Proposed stipulation – See Section X infra.

ISSUE 6: What should be the effective date of the new conservation cost recovery factors for billing purposes?

Proposed stipulation – See Section X infra.

ISSUE 7: Should the Commission approve revised tariffs reflecting the energy conservation cost recovery factors determined to be appropriate in this proceeding?

Proposed stipulation – See Section X infra.

COMPANY-SPECIFIC CONSERVATION COST RECOVERY ISSUES

Tampa Electric Company

ISSUE 8: What is the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders for Tampa Electric Company for the period January 2025 through December 2025?

Proposed stipulation – See Section X infra.

ISSUE 9: What are the residential Price Responsive Load Management (RSVP-1) rate tiers for Tampa Electric Company for the period January 2025 through December 2025?

Proposed stipulation – See Section X infra.

CLOSE THE DOCKET ISSUE

ISSUE 10: Should this docket be closed?

Proposed stipulation – See Section X infra.

IX. EXHIBIT LIST

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
<u>Direct</u>			
L. Kay Hill	FPL	LKH-1	2023 Final True-up Schedules CT-2, CT-3, CT-5 and CT-6, Appendix A
Richard L. Hume			2023 Final True-up Schedules CT-1 - CT-4 2023 Final True-up Capital Structure/Cost Rates

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
L. Kay Hill Richard L. Hume	FPL	LKH-2	2025 Projection Schedule C-2 2024 Actual/Estimated Schedule C-3 Schedule C-5 2025 Projection Schedule C-1 and C-2 2025 Projection Capital Structure/Cost Rates 2024 Actual/Estimated Schedule C-3 and C-4 2024 Actual/Estimated Capital Structure/Cost Rates
Karla Rodriguez	DEF	KR-1T	ECCR Adjusted Net True-Up for January - December 2023, Schedules CT1 – CT6
Karla Rodriguez	DEF	KR-1P	Estimated/Actual True-Up, January – December 2024 and ECCR Factors for Billings in January – December 2025, Schedules C1 – C6
M. Ashley Sizemore	TECO	MAS-1	Schedules supporting cost recovery factor actual January 2023-December 2023
M. Ashley Sizemore	TECO	MAS-2	Schedules supporting conservation costs projected for the period January 2025-December 2025 (2021 rate case)
M. Ashley Sizemore	TECO	MAS-3	Schedules Supporting conservation costs projected for the period January 2025-December 2025 (2024 rate case)
Derrick M. Craig	FPUC	DMC-1	Schedules CT-1, CT-2, CT-3, CT-4, CT-5 and CT-6
Derrick M. Craig	FPUC	DMC-2	Schedules C-1, C-2, C-3, C-4, and C-5 <i>Revised filed September 12, 2024</i>

X. PROPOSED STIPULATIONS

After the Prehearing Conference, the four investor-owned electric utilities reached Type 2 stipulations¹ with Commission Staff concerning all issues identified for resolution at the final hearing. The intervenors (OPC, FIPUG, Nucor, and PCS Phosphate) take no position on any of the proposed stipulations.²

GENERIC CONSERVATION COST RECOVERY ISSUES

ISSUE 1: What are the final conservation cost recovery adjustment true-up amounts for the period January 2023 through December 2023?

STIPULATION:

The appropriate final conservation cost recovery adjustment true-up amounts for the period January 2023 through December 2023 are as follows:

FPL

\$2,466,525, over-recovery, as reflected in Schedule CT-1, Page 2 of 87, in Exhibit LKH-1.

DEF

\$3,699,623, over-recovery, as reflected in Schedule CT-1, Page 1 of 1, in Exhibit KR-1T.

TECO

\$846,045, over-recovery, as reflected in Schedule CT-1, Page 1 of 1, in Exhibit MAS-1.

FPUC

\$49,567, under-recovery, as reflected in Schedule CT-1, Page 1 of 1, in Revised Exhibit DMC-1.

¹ A “Type 2 stipulation” occurs on an issue when the utility and Commission Staff, or the utility and at least one party adversarial to the utility, agree on the resolution of the issue and the remaining Parties (including Commission Staff if it does not join in the agreement) do not object to the Commission relying upon the agreed language to resolve that issue in a final order.

² The intervenors take no position on these issues nor do they have the burden of proof related to them. As such, they represent that they will not contest or oppose the Commission taking action approving a proposed stipulation between the utilities and Commission Staff as a final resolution of these issues. No person is authorized to state that OPC, FIPUG, Nucor, or PCS Phosphate is a participant in, or party to, a stipulation on these issues, either in this docket, in an order of the Commission, or in a representation to a Court.

ISSUE 2: **What are the appropriate conservation adjustment actual/estimated true-up amounts for the period January 2024 through December 2024?**

STIPULATION:

The appropriate conservation adjustment actual/estimated true-up amounts for the period January 2024 through December 2024 are as follows:

FPL

\$2,424,807, over-recovery, as reflected in Schedule C-3, Page 28 of 34, Lines 5 plus 6, in Exhibit LKH-2.

DEF

\$9,465,946, over-recovery, which is calculated by taking the difference from the amount in Issue 1 from the \$13,165,569 (over-recovery), that is reflected in Schedule C-3, Page 5 of 5, in Exhibit KR-1P.

TECO

\$4,562,499, under-recovery, as reflected in Schedule C-3, Page 12 of 13, in Exhibit MAS-2.

FPUC

\$80,486, over-recovery, which is calculated by taking the difference from the amount in Issue 1 from the \$30,919 (over-recovery), that is reflected in Schedule C-3, Page 4 of 5, in Revised Exhibit DMC-2.

ISSUE 3: **What are the appropriate total conservation adjustment true-up amounts to be collected/refunded in the period January 2025 through December 2025?**

STIPULATION:

The appropriate total conservation adjustment true-up amounts to be collected/refunded in the period January 2025 through December 2025 are as follows:

FPL

\$4,891,332, over-recovery, as reflected in Schedule C-3, Page 28 of 34, in Exhibit LKH-2.

DEF

\$13,165,569, over-recovery, as reflected in Schedule C-3, Page 5 of 5, in Exhibit KR-1P.

TECO

\$3,716,454, under-recovery, as reflected, Schedule C-3, Page 12 of 13, in Exhibit MAS-2.

FPUC

\$30,919, over-recovery, as reflected in Schedule C-3, Page 4 of 5, Line 11, in Revised Exhibit DMC-2.

ISSUE 4: What are the total conservation cost recovery amounts to be collected during the period January 2025 through December 2025?

STIPULATION:

The appropriate total conservation cost recovery amounts to be collected during the period January 2025 through December 2025 are as follows:

FPL

\$161,640,931, which is calculated by taking the amount in Issue 3 from the \$166,532,263 amount that is reflected in Schedule C-1, Page 2 of 34, in Exhibit LKH-2.

DEF

\$118,656,282, which is calculated by taking the amount in Issue 3 from the Total Demand and Energy Costs amount, \$131,821,851, as reflected in Schedule C-2, Line 22, Page 1 of 4, in Exhibit KR-1P.

TECO

\$52,109,529, which is calculated by adding the amount in Issue 3 to the \$48,393,075 amount that is reflected in Schedule C-2, Page 1 of 8, in Exhibit MAS-2.

FPUC

\$731,931, which is calculated by taking the amount in Issue 3 from the Total Incremental Costs amount, \$762,850, as reflected in Schedule C-1, Line 3, Page 1 of 1, in Revised Exhibit DMC-2.

ISSUE 5: What are the conservation cost recovery factors for the period January 2025 through December 2025?

STIPULATION:

The appropriate conservation cost recovery factors for the period January 2025 through December 2025 are as follows:

FPL

2025 ECCR Cost Recovery Factors as reflected in Schedule C-1, Page 4 of 34, in Exhibit LKH-2				
Rate Class	Conservation Recovery Factor (\$/kW)	Conservation Recovery Factor (Cents/kWh)	Reservation Demand Charge: RDC (\$/kW)	Daily Demand Charge: SDD (\$/kW)
RS1/RTR1	-	0.138	-	-
GS1/GST1	-	0.127	-	-
GSD1/GSDT1/HLFT1/GSD1-EV	0.45	-	-	-
OS2	-	0.074	-	-
GSLD1/GSLDT1/CS1/ CST1/HLFT2/GSLD1-EV	0.51	-	-	-
GSLD2/GSLDT2/CS2/ CST2/HLFT3	0.51	-	-	-
GSLD3/GSLDT3/CS3/CST3	0.52	-	-	-
SST1T	-	-	0.06	0.03
SST1D1/SST1D2/SST1D3	-	-	0.06	0.03
CILC D/CILC G	0.54	-	-	-
CILC T	0.54	-	-	-
MET	0.44	-	-	-
OL1/SL1/SL1M/PL1/OSI/II	-	0.039	-	-
SL2/SL2M/GSCU1	-	0.099	-	-

DEF

2025 ECCR Cost Recovery Factors, as reflected in Schedule C-1, Page 2 of 2, in Exhibit KR-1P			
Retail Rate Schedule	Cost Recovery Factor (Cents/kWh) Voltage Level		
	Secondary	Primary	Transmission
Residential: RS-1, RST-1, RSL-1, RSL-2	0.326	N/A	N/A
General Service Non-Demand: GS-1, GST-1, GSLM-1, GLMS-2	0.286	0.283	0.280
General Service (100% Load Factor): GS-2	0.222	N/A	N/A
Lighting: LS-1	0.110	N/A	N/A

2025 ECCR Cost Recovery Factors, as reflected in Schedule C-1, Page 2 of 2, in Exhibit KR-1P			
Retail Rate Schedule	Cost Recovery Factor (Dollars/kW-month) Voltage Level		
	Secondary	Primary	Transmission
General Service Demand: GSD-1, GSDT-1, GSLM-1, GSLM-2, SS-1	0.890	0.880	0.870
Curtaillable: CS-2, CST-2, CS-3, CST-3, SS-3	0.630	0.620	0.620
Interruptible: IS-2, IST-2, SS-2	0.770	0.760	0.750
Standby Monthly: SS-1, SS-2, SS-3	0.087	0.086	0.085
Standby Daily: SS-1, SS-2, SS-3	0.041	0.041	0.040

TECO

2025 ECCR Cost Recovery Factors, as reflected in Schedule C-1c, Page 1 of 1, in Exhibit MAS-2			
Retail Rate Schedule	Cost Recovery Factor (Cents/kWh) Voltage Level		
	Secondary	Primary	Subtransmission
RS	0.294	N/A	N/A
GS and CS	0.292	N/A	N/A
GSD Optional	0.210	0.208	0.206
LS1 and LS2	0.456	N/A	N/A

2025 ECCR Cost Recovery Factors, as reflected in Schedule C-1c, Page 1 of 1, in Exhibit MAS-2			
Retail Rate Schedule	Cost Recovery Factor (Dollars/kW) Voltage Level		
	Secondary	Primary	Subtransmission
GSD and SBD	0.86	0.85	0.84
GSLDPR and SBLDPR	N/A	0.80	N/A
GSLDSU and SBLDSU	N/A	N/A	0.87

FPUC

\$0.00121 per kWh (consolidated levelized conservation cost recovery factor), as reflected in Schedule C-1, Line 8, Page 1 of 1, in Revised Exhibit DMC-2.

ISSUE 6: What should be the effective date of the new conservation cost recovery factors for billing purposes?

STIPULATION:

The factors shall be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2025 through December 2025. Billing cycles may start before January 1, 2025 and the last cycle may be read after December 31, 2025, so that each customer is billed for 12 months regardless of when the adjustment factor became effective. These charges shall continue in effect until modified by subsequent order of this Commission.

ISSUE 7: Should the Commission approve revised tariffs reflecting the energy conservation cost recovery factors determined to be appropriate in this proceeding?

STIPULATION:

Yes. The Commission should approve revised tariffs reflecting the energy conservation cost recovery factors determined to be appropriate in this proceeding. The Commission should direct staff to verify that the revised tariffs are consistent with the Commission's decision.

The Commission should also grant staff administrative authority to approve revised tariffs reflecting amended cost recovery clause factors that incorporate any revisions that are necessary as a result of the Commission's decision in TECO's current base rate case in Docket No. 20240026-EI.

COMPANY-SPECIFIC CONSERVATION COST RECOVERY ISSUES

ISSUE 8: What is the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders for Tampa Electric Company for the period January 2025 through December 2025?

STIPULATION:

In accordance with Order No. PSC-2021-0423-S-EI, issued November 10, 2021, in Docket No. 202100034, the Contracted Credit Value (CCV) by Voltage Level for

the forthcoming cost recovery period, January 2025 through December 2025, for the GSLM-2 and GSLM-3 rate riders will be:

<u>Voltage Level</u>	<u>Contracted Credit Value (dollars per kW)</u>
Secondary	11.75
Primary	11.63
Subtransmission	11.52

ISSUE 9: What are the residential Price Responsive Load Management (RSVP-1) rate tiers for Tampa Electric Company for the period January 2025 through December 2025?

STIPULATION:

For the period January 2025 through December 2025, the Residential Price Responsive Load Management (RSVP-1) rates are as follows:

<u>Rate Tier</u>	<u>Cents per kWh</u>
P1	-3.053
P2	-1.608
P3	9.505
P4	49.054

CLOSE THE DOCKET ISSUE

ISSUE 10: Should this docket be closed?

STIPULATION:

No. The Energy Conservation Cost Recovery Clause is a continuing docket that remains open for administrative convenience and will receive a new docket number next year.

XI. PENDING MOTIONS

There are no pending motions.

XII. PENDING CONFIDENTIALITY MATTERS

There are no pending confidentiality matters.

XIII. POST-HEARING PROCEDURES

If no bench decision is made, each party shall file a post-hearing statement of issues and positions. A summary of each position, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of this Prehearing Order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 75 words, it must be reduced to no more than 75 words. If a party fails to file a post-hearing statement, that party shall have waived all issues and may be dismissed from the proceeding.

Pursuant to Rule 28-106.215, F.A.C., a party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 40 pages and shall be filed at the same time.

XIV. RULINGS

Opening statements, if any, shall not exceed three minutes per party.

It is therefore,

ORDERED by Commissioner Gabriella Passidomo, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

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By ORDER of Commissioner Gabriella Passidomo, as Prehearing Officer, this 31st day
of October, 2024.



Gabriella Passidomo
Commissioner and Prehearing Officer
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.

CMM

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. 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.