

AUSLEY & McMULLEN

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November 14, 2008

HAND DELIVERED

RECEIVED-FPSC
08 NOV 14 PM 3:52
COMMISSION
CLERK

Ms. Ann Cole, Director
Division of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

080675 - EI

Re: Petition for Approval of Revised Lighting Tariff Closing Certain Metal Halide Lighting Fixtures to New Business by Tampa Electric Company

Dear Ms. Cole:

Enclosed for filing in the above-style matter are the original and fifteen (15) copies of Tampa Electric Company's Petition for Approval of Revised Lighting Tariff Closing Certain Metal Halide Lighting Fixtures to New Business.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,



James D. Beasley

JDB/pp
Enclosure

DOCUMENT NUMBER-DATE

10642 NOV 14 08

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of)
Revised Lighting Tariff Closing)
Certain Metal Halide Lighting)
Fixtures to New Business by)
Tampa Electric Company.)
_____)

DOCKET NO. _____

FILED: November 14, 2008

PETITION

Tampa Electric Company (“Tampa Electric” or “the company”), pursuant to Chapter 366.06, Florida Statutes, Rules 28-106.201 and 25-9.031, Florida Administrative Code files this its Petition for Approval of Revised Lighting Tariff Closing Certain Metal Halide Lighting Fixtures to New Business, and in support thereof states:

1. Tampa Electric is an investor-owned electric utility operating under the jurisdiction of this Commission and serving retail customers in Hillsborough and portions of Polk, Pinellas and Pasco Counties. The company’s principal offices are located at 702 North Franklin Street, Tampa, Florida 33602.

2. The persons to whom all notices and other documents should be sent in connection with this docket are:

Mr. Lee L. Willis
Mr. James D. Beasley
Ausley & McMullen
Post Office Box 391
Tallahassee, Florida 32302
(850) 224-9115
(850) 222-7952 (fax)

Paula Brown
Administrator, Regulatory Coordination
Tampa Electric Company
Post Office Box 111
Tampa, Florida 33601
(813) 228-1444
(813) 228-1770 (fax)

3. In this petition, Tampa Electric seeks approval for Revised Tariff Sheet 6.305 attached hereto in standard and legislative format as Exhibit “A” and Exhibit “B”, respectively.

Background

4. Tampa Electric currently offers several metal halide (MH) lighting fixtures under its Premium Outdoor Lighting Service, Rate Schedule OL-3, that are designed for lamp sizes of 175 Watts (W), 400 W, and 1000 W. The company has learned from its MH lighting fixture vendors and manufacturers that, effective January 1, 2009, the production of certain MH fixtures (i.e., the 175 W and 400 W MH fixtures) will cease because these fixtures cannot be retrofitted or redesigned to meet the new minimum ballast efficiency requirements of the Energy Independence and Security Act of 2007¹ (“the Act”) that was signed into law on December 19, 2007. The Act includes provisions addressing lighting efficiency that specifically target MH lamp fixtures designed for lamps with sizes greater than or equal to 150 W, but not greater than 500 W.

5. Tampa Electric’s vendors admitted that the entire outdoor lighting industry was caught off-guard with respect to the extent of the legislation, initially assuming that the provisions applied only to indoor lighting fixtures. The industry’s delayed start in complying with the new requirements has left it scrambling to develop alternative fixtures to replace those being eliminated.

6. Tampa Electric has been informed by the industry that they believe they can still produce replacement parts (e.g. ballasts and lamps) for purposes of repairing and maintaining existing MH fixtures within the affected range, but the company is concerned because it does not know how long these maintenance items will continue to be produced and, in the event that an existing fixture cannot be repaired with replacement parts, the company will be unable to

¹ Public Law 119-114

purchase a suitable, replacement fixture.

Requested Revisions

7. Tampa Electric is requesting approval to close all 175 W and 400 W MH lighting fixtures offered under Rate Schedule OL-3 to new business, as these fixtures will be no longer manufactured and available for purchase by the Tampa Electric after January 1, 2009. Tampa Electric has enough fixtures on hand to fulfill its current obligations to new and pending customers who have recently requested lighting service based on the affected MH fixtures. Tampa Electric is also informing these customers about the change in availability of these MH fixtures and affording them the opportunity to change their requests should they desire to do so.

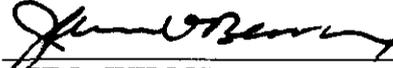
8. At this time, the company does not have enough information on replacement products being developed by the lighting manufacturers within this wattage range to propose new tariff offerings to serve as adequate replacements for the offerings the company is seeking this Commission's approval to close. When such information becomes available, Tampa Electric will evaluate the adequacy of the proposed replacements and may file requests for approval of new offerings for its customers.

9. Tampa Electric knows of no disputed issues of material fact relative to the lighting tariff revisions proposed herein.

WHEREFORE, Tampa Electric requests that this Commission consent to the closure of the 175 W and 400 W MH lighting fixtures and approve the Revised Tariff Sheet 6.305 as set forth in Exhibit "A". The company requests that such approval be made effective no later than January 1, 2009.

Dated this 14th day of November, 2008.

Respectfully submitted,



LEE L. WILLIS
JAMES D. BEASLEY
Ausley & McMullen
Post Office Box 391
Tallahassee, FL 32302
(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

EXHIBIT A



Continued from Sheet No. 6.304

Shoebox	9,500	100	8.52	1.36	9.88
Shoebox	28,500	250	9.02	1.45	10.47
Shoebox	50,000	400	10.37	1.54	11.91
Flat Decorative*	50,000	400	23.86	1.75	25.61

Fixture Type: Metal Halide

Shoebox**	12,800	175	\$7.28	\$5.14	\$12.42
Shoebox***	32,000	400	10.33	2.46	12.79
Shoebox	107,800	1000	15.63	4.56	20.19
Flood***	32,000	400	7.55	2.33	9.88
Flood	107,800	1000	9.48	4.56	14.04
Cube Decorative*	36,000	400	16.87	2.96	19.83
General Post Top***	14,800	175	14.78	5.84	20.62
Salem Post Top***	14,800	175	10.81	5.29	16.10
Cobra***	32,000	400	5.44	4.45	9.89

Additional light on a pole

Fixture Type: High Pressure Sodium

Classic Post Top	9,500	100	\$13.59	\$2.11	\$15.70
Colonial Post Top	9,500	100	13.12	2.31	15.43
Salem Post Top	9,500	100	8.15	2.06	10.21
Shoebox	9,500	100	7.71	1.36	9.07
Shoebox	28,500	250	8.21	1.45	9.66
Shoebox	50,000	400	9.56	1.54	11.10
Flat Decorative*	50,000	400	22.80	1.75	24.55

Additional light on a pole

Fixture Type: Metal Halide

Shoebox**	12,800	175	7.28	5.14	12.42
Shoebox***	32,000	400	9.52	2.46	11.98
Shoebox	107,800	1000	15.63	4.56	20.19
Flood***	32,000	400	7.20	2.33	9.53
Flood	107,800	1000	9.13	4.56	13.69
Cube Decorative*	36,000	400	17.21	2.96	20.17
General Post Top***	14,800	175	14.78	5.84	20.62
Salem Post Top***	14,800	175	10.81	5.29	16.10
Cobra***	32,000	400	4.18	4.25	8.43

<u>Description</u>	<u>Facilities Charge</u>	<u>Maintenance Charge</u>	<u>Total Monthly Charge</u>
Post Top Bracket (for additional post top fixture)	3.85	0.03	3.88

*(Closed to new business beginning April 18, 2000)

** (Closed to new business beginning March 18, 2003)

*** (Closed to new business beginning _____)

Continued to Sheet 6.306

EXHIBIT B



Continued from Sheet No. 6.304

Shoebox	9,500	100	8.52	1.36	9.88
Shoebox	28,500	250	9.02	1.45	10.47
Shoebox	50,000	400	10.37	1.54	11.91
Flat Decorative*	50,000	400	23.86	1.75	25.61
Fixture Type: Metal Halide					
Shoebox**	12,800	175	\$7.28	\$5.14	\$12.42
Shoebox***	32,000	400	10.33	2.46	12.79
Shoebox	107,800	1000	15.63	4.56	20.19
Flood***	32,000	400	7.55	2.33	9.88
Flood	107,800	1000	9.48	4.56	14.04
Cube Decorative*	36,000	400	16.87	2.96	19.83
General Post Top***	14,800	175	14.78	5.84	20.62
Salem Post Top***	14,800	175	10.81	5.29	16.10
Cobra***	32,000	400	5.44	4.45	9.89
Additional light on a pole					
Fixture Type: High Pressure Sodium					
Classic Post Top	9,500	100	\$13.59	\$2.11	\$15.70
Colonial Post Top	9,500	100	13.12	2.31	15.43
Salem Post Top	9,500	100	8.15	2.06	10.21
Shoebox	9,500	100	7.71	1.36	9.07
Shoebox	28,500	250	8.21	1.45	9.66
Shoebox	50,000	400	9.56	1.54	11.10
Flat Decorative*	50,000	400	22.80	1.75	24.55
Additional light on a pole					
Fixture Type: Metal Halide					
Shoebox**	12,800	175	7.28	5.14	12.42
Shoebox***	32,000	400	9.52	2.46	11.98
Shoebox	107,800	1000	15.63	4.56	20.19
Flood***	32,000	400	7.20	2.33	9.53
Flood	107,800	1000	9.13	4.56	13.69
Cube Decorative*	36,000	400	17.21	2.96	20.17
General Post Top***	14,800	175	14.78	5.84	20.62
Salem Post Top***	14,800	175	10.81	5.29	16.10
Cobra***	32,000	400	4.18	4.25	8.43

<u>Description</u>	<u>Facilities Charge</u>	<u>Maintenance Charge</u>	<u>Total Monthly Charge</u>
Post Top Bracket (for additional post top fixture)	3.85	0.03	3.88

*(Closed to new business beginning April 18, 2000)
 **(Closed to new business beginning March 18, 2003)
 *** (Closed to new business beginning)

Continued to Sheet 6.306

ISSUED BY: ~~J. B. Ramil~~ C. R. Black,
 President

DATE EFFECTIVE: March 18, 2003