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# Public Service Commission

February 10, 2011

Robert Scheffel Wright  
Young Law Firm  
225 South Adams Street, Suite 200  
Tallahassee, FL 32301

STAFF'S DATA REQUEST NO. 1

**Re: Docket No. 090524 -EM - Complaint of Stephen J. Faherty and Glenn Fraser Heran against the City of Vero Beach for unfair electric utility rates and charges.**

Dear Mr. Wright:

By this letter, the Commission staff requests that the City of Vero Beach (City) provide responses to the following data requests.

**Questions related to the referendum election required by Section 366.04(7)(a), F.S.:**

Section 366.04(7), Florida Statutes, requires each affected municipal electric utility as defined in this subsection to conduct a referendum election of all of its retail electric customers to determine if a majority of the customers are in favor of creating a separate electric utility authority to operate the business of the electric utility. For purposes of this subsection, "affected municipal electric utility" is defined as a municipality that operates an electric utility that:

1. Serves two cities in the same county;
2. Is located in a noncharter county;
3. Has between 30,000 and 35,000 retail electric customers as of September 30, 2007; and
4. Does not have a service territory that extends beyond its home county as of September 30, 2007.

The following questions relate to the above subsection:

- (1) Did the City of Vero Beach (City) determine that it did not meet the definition of "affected municipal electric utility" contained in this subsection?
- (2) If so, on what basis was that determination made?

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- (3) Please explain the method by which the City determined the number of retail electric customers it was serving as of September 30, 2007.
- (4) Please provide the number of retail electric customers as of September 30, 2007, broken down by rate classification. Please separate this information into those customers located within the city limits of Vero Beach and those outside of the city limits of Vero Beach.
- (5) Please provide the number of retail electric meters as of September 30, 2007, broken down by rate classification, if this number is different than the number of retail electric customers provided in the response to the previous question. Please separate this information into those meters located within the city limits of Vero Beach and those outside of the city limits of Vero Beach.

**Questions related to the Cost of Service study filed September 18, 2009, in support of tariff changes requested by the City of Vero Beach:**

The City of Vero Beach filed a cost of service study with the Public Service Commission on September 18, 2009, in support of the proposed tariff changes requested by the City. The following questions relate to this cost of service study:

- (6) Table 4-1 of the cost of service study provides a Classification of Net Revenue Requirements for the projected Test Year 2010. Lines 203-224 of this table contain a list of "Electric NonDepartmental" expenses totaling \$4,459,822. Please provide a description of the types of expenses contained in each line item in this category, and how each of these expenses relates to the provision of electric service to retail electric customers located within and outside of the city limits of Vero Beach.
- (7) Lines 228-234 of Table 4-1 of the cost of service study contains a list of "Other Revenue Requirements" totaling \$22,497,643. Please provide a description of the types of expenses contained in each line item in this category, and how each of these expenses relates to the provision of electric service to retail electric customers located within and outside of the city limits of Vero Beach.
- (8) Table 4-2 of the cost of service study indicates that the total estimated number of meters for the 2010 Test Year is 33,408. This table also provides a breakdown of the total number of meters by rate classification. Provide the number of customers within each rate classification, if that number is different than the number of meters by rate classification indicated on Table 4-2.
- (9) Referring to Table 4-2 of the cost of service study, for each rate classification, please indicate how many meters are located within the city limits of Vero Beach and how many are located outside of the city limits of Vero Beach.

**Questions related to the territorial agreement between FPL and the City of Vero Beach approved by the Commission in Order No. 11580, issued February 2, 1983, in Docket No. 800596-EU:**

- (10) In 1983, the Commission approved a territorial agreement signed on June 11, 1980, between FPL and the City. This agreement provided, among other things, for the transfer of 146 customer accounts from the City to FPL and 22 accounts from FPL to the City. At the time the agreement was signed, how many total retail customer accounts were served by the City?
- (11) At the time the agreement was signed, how many of the City's customer accounts were for service provided within the city limits of Vero Beach and how many accounts were for service provided outside of the city limits of Vero Beach?
- (12) Provide the number of customer accounts as of December 31, 2010, related to service provided within the city limits of Vero Beach and the number of accounts related to service outside of the city limits of Vero Beach.
- (13) Provide a copy of the official county tax assessment map or other map showing the City's service area as of December 31, 2010, and clearly indicating the city limits of Vero Beach. Also, please clearly indicate on this map the City's service area at the time the territorial agreement was signed in 1980.

Please file the original and five copies of the requested information by Thursday, March 3, 2011, with Ms. Ann Cole, Commission Clerk, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850. Please feel free to call me at (850) 413-6187 if you have any questions.

Sincerely,

  
Martha C. Brown  
Senior Attorney  
Office of the General Counsel

MCB/sh

cc: Office of Commission Clerk  
Stephen J. Faherty  
Glenn Fraser Heran