

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

RECEIVED-FPSC
APR 26 AM 11:12
COMMISSION
CLERK

DATE: April 26, 2012

TO: Office of Commission Clerk (Cole)

FROM: Division of Regulatory Analysis (Brown, Ellis, Graves, Ma, Matthews)
Office of the General Counsel (Murphy, Robinson)

Handwritten notes and signatures:
TDS
583 POE REG
JPM
tw
AT
CM PER AT

RE: Docket No. 120067-EI – Petition for approval of amended standard offer contract, by Progress Energy Florida, Inc.

Docket No. 120069-EQ – Petition for approval of revisions to renewable energy tariff, by Florida Public Utilities Company.

Docket No. 120071-EQ – Petition for approval of new standard offer for purchase of firm capacity and energy from renewable energy facilities or small qualifying facilities and approval of revised tariff schedule REF-1, by Gulf Power Company.

Docket No. 120072-EQ – Petition for approval of renewable energy tariff and standard offer contract, by Florida Power & Light Company.

Docket No. 120074-EI – Petition for approval of revisions to standard offer contract and rate schedules COG-1 and COG-2, by Tampa Electric Company.

AGENDA: 05/08/12 – Regular Agenda – Tariff Suspension – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Edgar (Docket Nos. 120067-EI, 120069-EQ, 120074-EI)
Administrative (Docket Nos. 120071-EQ, 120072-EQ)

CRITICAL DATES: 05/29/12, 60-Day Suspension Date for Docket Nos. 120067-EI, 120069-EQ
06/01/12, 60-Day Suspension Date for Docket Nos. 120071-EQ, 120072-EQ, 120074-EI

DOCUMENT NUMBER-DAT:
02631 APR 26 12
FPSC-COMMISSION CLERK

Docket Nos. 120067-EI, 120069-EQ, 120071-EQ, 120072-EQ, 120074-EI
Date: April 26, 2012

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\RAD\WP\120067.RCM.DOC

Case Background

Rules 25-17.200 through 25-17.310, F.A.C., require each investor-owned utility (IOU) to file with the Commission by April 1 of each year a standard offer contract for the purchase of firm capacity and energy from renewable generating facilities and small qualifying facilities with a design capacity of 100 kW or less.

Filings from Progress Energy Florida, Inc. (PEF) and Florida Public Utilities Company (FPUC) were received on March 30, 2012. Filings from Florida Power & Light Company (FPL), Tampa Electric Company (TECO), and Gulf Power Company (GULF) were received on April 2, 2012.

The Commission has jurisdiction over the standard offer contracts pursuant to Sections 366.04 and 366.91, Florida Statutes (F.S.).

Discussion of Issues

Issue 1: Should the Commission suspend the revised Standard Offer Tariffs filed in Docket Nos. 120067-EI, 120069-EQ, 120071-EQ, 120072-EQ, and 120074-EI?

Recommendation: Yes. The Commission should suspend the tariffs to allow staff time to review the petitions. (Brown, Ellis, Graves, Ma, Matthews)

Staff Analysis: Pursuant to Rule 25-17.250, F.A.C., the electric investor-owned utilities filed revisions to their respective standard offer contracts and associated tariffs, in each of their respective dockets. If the Commission does not take action upon these rate schedules within 60 days after filing, they will automatically become effective. Staff is recommending that the proposed tariffs be suspended to allow staff sufficient time to review the petitions and gather all pertinent information in order to present an informed recommendation on the tariff proposals to the Commission.

Pursuant to Section 366.06(3), F.S., the Commission may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such increase a reason or written statement of good cause for doing so within 60 days. Staff believes that the reason stated above is good cause consistent with the requirements of Section 366.06(3), F.S.

Docket Nos. 120067-EI, 120069-EQ, 120071-EQ, 120072-EQ, 120074-EI
Date: April 26, 2012

Issue 2: Should these dockets be closed?

Recommendation: No. These dockets should remain open to allow staff adequate time to review the filings and bring a recommendation back to the Commission on the merits of the filings. (Robinson)

Staff Analysis: These dockets should remain open to allow staff adequate time to review the filings and bring a recommendation back to the Commission on the merits of the filings.