

AUSLEY & McMULLEN

ATTORNEYS AND COUNSELORS AT LAW

123 SOUTH CALHOUN STREET
P.O. BOX 391 (ZIP 32302)
TALLAHASSEE, FLORIDA 32301
(850) 224-9115 FAX (850) 222-7560

December 20, 2012

HAND DELIVERED

John Slemkewicz
c/o Ann Cole
Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

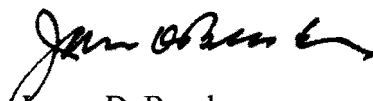
RECEIVED-FPSC
12 DEC 20 PM 3:45
COMMISSION
SLEMK

Re: Industry survey for legislative review of agency rules in effect on or before
November 16, 2010; FPSC Docket No. 110303-OT

Dear Mr. Slemkewicz:

Enclosed for filing are Tampa Electric Company's answers to Staff's survey questions on
Rule 25-6.0131; Rule 25-6.043 and Rule 25-30.120, F.A.C., propounded and served by U. S.
Mail on November 21, 2012.

Sincerely,


James D. Beasley

JDB/pp
Enclosures

08271 DEC 20 2012
FPSC-COMMISSION CLERK

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.0131
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 1
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

The following survey questions apply to Rule 25-6.0131, F.A.C, Regulatory Assessment Fees. The Company's response data to these survey questions should be provided for the entire rule, unless the response data is available by rule section, in which case we request the response data be provided by rule section. Please present data in annualized format, if possible, and all cost or benefit dollar estimates should be stated in nominal terms. Please indicate whether the data is actual or projected. Relevant definitions are attached.

1. What are the Company's estimated transactional costs (as defined in Subparagraph 120.541(2)(d) F.S.) resulting from the Company's compliance with Rule 25-6.0131, F.A.C, for the five year period beginning July 1,2011?
 - a. Please identify regulatory assessment fees separately from all other transactional costs required to comply with the rule.

- A. Tampa Electric's estimated transaction costs resulting from the Company's compliance with Rule 25-6.0131, F.A.C., for the five year period beginning July 1, 2011 is \$5,800.
 - a. The estimated regulatory assessment fees for the same five year period is \$7,500,000.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.0131
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 2
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 2.** Of the costs provided in response to question 1 above, which, if any, would be incurred by the Company if Rule 25-6.0131, F.A.C, were not in effect?
 - A.** None.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.0131
STAFF'S 1ST SURVEY QUESTIONS
QUESTION NO. 3
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 3.** What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits, on small businesses (as defined by Section 288.703, F.S.) located in the Company's service territory, resulting from the implementation of 25-6.0131, F.A.C, for the five year period beginning July 1, 2011?
- A.** None.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.0131
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 4
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

4. What is the company's estimate of the likely impact, stated in terms of costs and/or benefits, on small counties and small cities (as defined in section 120.52, F.S.) located in the Company's service territory, resulting from the implementation of 25-6.0131, F.A.C., for the Five year period beginning July 1, 2011.
- A. None.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.0131
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 5
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 5.** What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits, on entities located in the Company's service territory other than those specifically identified in questions 3 and 4, resulting from the implementation of 25-6.0131, F.A.C, for the five year period beginning July 1, 2011?
- A.** None.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.0131
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 6
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 6.** What does the Company believe is the expected impact of Rule 25-6.0131, F.A.C, on economic growth, private sector job creation or employment, and private sector investment for the five year period beginning July 1, 2011 in the Company's service territory?
- A.** None.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.0131
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 7
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

7. What does the Company believe is the expected impact of Rule 25-6.0131, F.A.C, on business competitiveness, productivity, and innovation, including the ability of persons doing business in the Company's service territory to compete with persons doing business in states other than Florida or other domestic markets for the five year period beginning July 1, 2011?
- A. None.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.0131
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 8
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 8.** What does the Company believe are the benefits of Rule 25-6.0131, F.A.C?
- A.** None.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.043
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 1
PAGE 1 OF 2
FILED: DECEMBER 20, 2012**

The following survey questions apply to Rule 25-6.043, F.A.C. - Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee. The Company's response data to these survey questions should be provided for the entire rule, unless the response data is available by rule section, in which case we request the response data be provided by rule section. Please present data in annualized format, if possible, and all cost or benefit dollar estimates should be stated in nominal terms. Please indicate whether the data is actual or projected. Relevant definitions are attached.

1. What are the Company's estimated transactional costs (as defined in Subparagraph 12a541(2)(d), F.S.) resulting from the Company's compliance with Rule 25-6.043, F.A.C., for the five-year period beginning July 1, 2011? Include, for example, the following items separated between internal costs and external costs:
 - a. The costs of preparing the minimum filing requirements.
 - b. Witness preparation and appearance before the Commission.
 - c. Petition and testimony filings.
 - d. Legal costs.
 - e. Consultant costs.
 - f. Other costs associated with the required filings - please identify each.
- A.
 - a. Tampa Electric Company uses internal resources (i.e., salaried employees) to prepare Minimum Filing Requirements (MFRs); therefore, other than certain costs incurred by the company for reviewing MFRs or for outside witnesses or consultants to assist in their preparation or review, which are included in response to 1d. and 1e. below, no incremental costs are incurred in the preparation of MFRs.
 - b. Tampa Electric Company incurs costs for witness preparation and appearance before the Commission; however, these costs are normally incurred subsequent to the preparation of MFRs and are not dependent on the existence of MFRs or not, so the company does not regard these costs to be incurred as a result of Rule 26-6.043, F.A.C.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.043
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 1
PAGE 2 OF 2
FILED: DECEMBER 20, 2012**

- c. Incremental costs incurred for preparation of the petition and testimony filings are included in the response to 1d. and 1e. below, to the extent these costs are known. Tampa Electric Company employees who testify on behalf of the company draft their own testimony with assistance and review by other employees and outside consultants and attorneys. These employee witnesses are salaried employees; therefore, no incremental costs are incurred in the drafting of their testimony. Outside witnesses draft their own testimony; however these costs are incremental and are included in 1d. and 1e. as discussed above.
- d. Tampa Electric incurs legal costs for a variety of activities relating to a rate case, including drafting and review of the test-year letter, drafting and review of the petition, review of MFRs, review of testimony, witness preparation, appearance at the hearing and drafting of post-hearing filings. Based on legal costs incurred during Tampa Electric's last rate case, the company would expect to incur legal costs for a rate case of approximately \$1.9 million in total. The company does not have a breakdown of these expenses to know how much of this amount relates to the review of MFRs or the drafting and review of the petition or review of testimony.
- e. Tampa Electric incurred consultant costs relating to its last rate case of approximately \$1.5 million. The company does not have a breakdown of these expenses to know how much of this amount relates to the review of MFRs or the drafting and review of the petition or review of testimony.
- f. Tampa Electric is not aware of any costs associated with the filings required Rule 25-6.043, F.A.C., that are not accounted for in the previous responses.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.043
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 2
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 2.** Of the costs provided in response to question 1 above, which, if any, would be incurred by the Company if Rule 25-6.043, F.A.C., were not in effect?
- A.** As indicated above, the company uses internal resources to prepare its MFRs, so incremental costs incurred consist of legal and consulting services for reviewing MFRs. In the absence of Rule 25-6.043, F.A.C., it is unclear what information would be required to initiate a base rate proceeding, beyond a petition and testimony. In such a scenario, Tampa Electric would assume that the incremental legal and consulting costs for reviewing MFRs would not be incurred; however, it is likely that the absence of MFRs would lead to a greater amount of information being requested from the company through other means, such as production of documents, interrogatories, and depositions, to provide the same information as is contained in the MFRs. Tampa Electric, therefore, believes that the company would incur at least as much, if not more, cost for a rate case if Rule 25-6.043, F.A.C., were not in effect.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.043
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 3
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 3.** What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits on small businesses (as defined by Section 288.703, F.S.) located in the Company's service territory, resulting from the implementation of Rule 25-6.043, F.A.C., for the five-year period beginning July 1, 2011?
 - A.** Tampa Electric is unable to estimate the likely impact of the rule on small businesses located in the Company's service territory; however, Tampa Electric would not expect the impact, if any, to be significant.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.043
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 4
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 4.** What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits, on small counties and small cities (as defined in Section 120.52, F.S.) located in the Company's service territory, resulting from the implementation of 25-6.043, F.A.C., for the five-year period beginning July 1, 2011?
- A.** Tampa Electric is unable to estimate the likely impact of the rule on small counties and small cities; however, Tampa Electric would not expect the impact, if any, to be significant.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.043
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 5
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 5.** What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits on entities located in the Company's service territory other than those specifically identified in questions 3 and 4, resulting from the implementation of Rule 25-6.043, F.A.C., for the five-year period beginning July 1, 2011 ?
- A.** Tampa Electric is unable to estimate the likely impact of the rule on entities located in the Company's service territory other than those specifically identified in questions 3 and 4; however, Tampa Electric would not expect the impact, if any, to be significant.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.043
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 6
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 6.** What does the Company believe is the expected impact of Rule 25-6.043, F.A.C., on economic growth, private sector job creation or employment, and private sector investment for the five-year period beginning July 1, 2011?
- A.** Tampa Electric is unable to estimate the likely impact of the rule on economic growth, private sector job creation or employment, and private sector investment; however, Tampa Electric would not expect the impact, if any, to be significant.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.043
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 7
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

7. What does the Company believe is the expected impact of Rule 25-6.043, F.A.C., on business competitiveness, productivity, and innovation, including the ability of persons doing business in the Company's service territory to compete with persons doing business in states other than Florida or other domestic markets for the five-year period beginning July 1, 2011?
 - A. Tampa Electric is unable to estimate the expected impact of the rule on business competitiveness, productivity and innovation, including the ability of persons doing business in the Company's service territory to compete with persons doing business in states other than Florida or other domestic markets; however, Tampa Electric would not expect the impact, if any, to be significant.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-6.043
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 8
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

8. What does the Company believe are the benefits associated with Rule 25-6.043, F.A.C.?
- A. Rule 25-6.043, F.A.C., specifies the "Minimum Filing Requirements" that must be provided along with a utility's petition for adjustment of rates. The rule provides clarity with respect to the information needed by the Commission to process a utility's rate adjustment request, which is beneficial because it provides for a more orderly and efficient proceeding. Without this rule, utilities would be uncertain about what information to provide with their rate adjustment petitions, leading to the possibility of having to provide more information through discovery requests and more expensive rate proceedings.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-30.120
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 1
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

The following survey questions apply to Rule 25-30.120, F.A.C, Regulatory Assessment Fees. The Company's response data to these survey questions should be provided for the entire rule, unless the response data is available by rule section, in which case we request the response data be provided by rule section. Please present data in annualized format, if possible, and all cost or benefit dollar estimates should be stated in nominal terms. Please indicate whether the data is actual or projected. Relevant definitions are attached.

1. What are the Company's estimated transactional costs (as defined in Subparagraph 120541(2)(d), F.S.) resulting from the Company's compliance with Rule 25-30.120, F.A.C., for the five year period beginning July 1, 2011 ?
 - a. Please identify regulatory assessment fees separately from all other transactional costs required to comply with the rule.

- A. Tampa Electric is not a water or wastewater utility so these fees are not applicable to Tampa Electric and no costs are incurred.
 - a. Not applicable.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-30.120
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 2
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 2.** Of the costs provided in response to question 1 above, which, if any, would be incurred by the Company if Rule 25-30.120, F.A.C, were not in effect?
 - A.** Not applicable.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-30.120
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 3
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

3. What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits, on small businesses (as defined by Section 288.703, F.S.) located in the Company's service territory, resulting from the implementation of 25-30.120, F.A.C, for the five year period beginning July 1, 2011?
 - A. Not applicable.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-30.120
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 4
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

4. What is the company's estimate of the likely impact, stated in terms of costs and/or benefits, on small counties and small cities (as defined in section 120.52, F.S.) located in the Company's service territory, resulting from the implementation of 25-30.120, F.A.C., for the Five year period beginning July 1, 2011.
 - A. Not applicable.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-30.120
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 5
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 5.** What is the Company's estimate of the likely impact, stated in terms of costs and/or benefits, on entities located in the Company's service territory other than those specifically identified in questions 3 and 4, resulting from the implementation of 25-30.120, F.A.C, for the five year period beginning July 1, 2011?
- A.** Not applicable.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-30.120
STAFF'S 1ST SURVEY QUESTIONS
QUESTION NO. 6
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 6.** What does the Company believe is the expected impact of Rule 25-30.120, F.A.C, on economic growth, private sector job creation or employment, and private sector investment for the five year period beginning July 1, 2011 in the Company's service territory?
 - A.** Not applicable.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-30.120
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 7
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

7. What does the Company believe is the expected impact of Rule 25-30.120, F.A.C, on business competitiveness, productivity, and innovation, including the ability of persons doing business in the Company's service territory to compete with persons doing business in states other than Florida or other domestic markets for the five year period beginning July 1, 2011?
- A. Not applicable.

**TAMPA ELECTRIC COMPANY
DOCKET NO. 110303-OT
RULE: 25-30.120
STAFF'S 1st SURVEY QUESTIONS
QUESTION NO. 8
PAGE 1 OF 1
FILED: DECEMBER 20, 2012**

- 8.** What does the Company believe are the benefits of Rule 25-30.120, F.A.C?
- A.** Not applicable.