

FLORIDA PUBLIC SERVICE COMMISSION

Item 3

VOTE SHEET

FILED JUN 18, 2015
DOCUMENT NO. 03723-15
FPSC - COMMISSION CLERK

June 18, 2015

Docket No. 150001-EI – Fuel and purchased power cost recovery clause with generating performance incentive factor.

Issue 4: Do FPL's proposed Guidelines for future capital investments in natural gas exploration and drilling joint ventures satisfy the Commission's criteria for consideration in the fuel cost recovery clause proceeding?

Recommendation: Yes.

APPROVED

COMMISSIONERS ASSIGNED: All Commissioners

COMMISSIONERS' SIGNATURES

MAJORITY

DISSENTING

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REMARKS/DISSENTING COMMENTS:

Docket No. 150001-EI – Fuel and purchased power cost recovery clause with generating performance incentive factor.

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Issue 5: If the Commission answers Issue 4 in the affirmative, should the Commission approve FPL's proposed criteria?

Recommendation: No. Due to the magnitude of the investments, the length of the commitments required, and the presumption of prudence that would attach, staff recommends any requests for approval of future gas reserve projects be considered on a case-by-case basis. It would be appropriate to have more experience with this form of investment and the magnitude of costs requested for recovery before the Commission approves guidelines for the proposed investment program with prudence attached. However, if the Commission finds it is appropriate to establish guidelines at this time, staff recommends the modifications attached to the end of the recommendation as Attachment A of staff's memorandum dated June 4, 2015.

DENIED Approved modified attachment provided in Attachment A, with these modifications:
I. Average Daily Burn Rate: 2015 - 5%, 2016 - 10%, 2017 - 15%, 2018 - 20%, with program review no earlier than year 3 or later than year 5 from Final order issue date. IB-cap should be 20%. ID-aggregate cap of \$500 million.
IV. Include language similar to IIA for customer benefit.
Grant staff administrative authority to make technical changes to document.

Issue 7: If the Commission concludes that FPL's petition has merit, should the Commission engage in rulemaking, pursuant to Section 120.54, Florida Statutes, and adopt rules addressing gas reserves guidelines and operations rather than adopting the Gas Reserves Guidelines as proposed by FPL?

Recommendation: No. If the Commission adopts guidelines, it is not required to engage in rulemaking. First, the proposed Guidelines are not rules under the definition in Section 120.52(7), F.S. Second, the Commission is exempt from rulemaking, pursuant to the provisions of Section 120.80(13)(a), F.S., applicable to cost-recovery clauses, factors, or mechanisms.

APPROVED

Issue 9: Should this docket be closed?

Recommendation: No. The Fuel and Purchased Power Cost Recovery Clause is an on-going docket and should remain open.

APPROVED