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March 29, 2017

VIA: ELECTRONIC FILING

Ms. Carlotta S. Stauffer
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Joint Petition of Tampa Electric Company and Withlacoochee River Electric Cooperative, Inc. for Approval of Amendment to Territorial Agreement

Dear Ms. Bayo:

Attached for filing in the above-styled matter is Joint Petition of Tampa Electric Company and Withlacoochee River Electric Cooperative, Inc. for Approval of Amendment to Territorial Agreement.

Thank you for your assistance in connection with this matter.

Sincerely,


James D. Beasley

JDB/pp
Attachment

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint Petition of Tampa Electric)
Company and Withlacoochee River)
Electric Cooperative, Inc. for Approval)
of Amendment to Territorial Agreement.)
_____)

DOCKET NO. _____

FILED: March 29, 2017

**JOINT PETITION OF TAMPA ELECTRIC COMPANY
AND WITHLACOOCHEE RIVER ELECTRIC COOPERATIVE, INC.
FOR APPROVAL OF AMENDMENT TO TERRITORIAL AGREEMENT**

Tampa Electric Company ("Tampa Electric" or "the company") and Withlacoochee River Electric Cooperative, Inc. ("WREC" or "the Cooperative"), pursuant to Section 366.04(2)(d), Florida Statutes, and Rule 25-6.0440, Florida Administrative Code, jointly petition the Commission to approve an amendment to their territorial agreement and, as grounds therefor, say:

1. Tampa Electric is an investor-owned electric utility subject to the Commission's jurisdiction pursuant to Chapter 366, Florida Statutes. Tampa Electric serves retail customers in Hillsborough and portions of Polk, Pinellas and Pasco Counties in Florida.
2. WREC is a rural electric cooperative organized and existing under Chapter 425, Florida Statutes.
3. Both Tampa Electric and WREC are subject to the jurisdiction of the Commission for purposes of approving territorial agreements under Section 366.04(2)(d), Florida Statutes.
4. The persons to whom all notices and other documents should be sent for Tampa Electric in connection with this docket are:

James D. Beasley
J. Jeffry Wahlen
Ausley McMullen
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Tallahassee, FL 32302

Paula Brown, Manager
Regulatory Coordination
Tampa Electric Company
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Tampa, FL 33601

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jbeasley@ausley.com
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(813) 228-1770 (fax)
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5. The persons to whom all notices and other documents should be sent for WREC in connection with this docket are:

Billy E. Brown
Executive VP and General Manager
P.O. Box 278
Dade City, FL 33526-0278
bbrown@wrec.net
(352) 567-5133 Ext. 6100

Keith C. Smith
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Background

6. The retail electric service boundary between Tampa Electric and WREC was initially approved by the Commission with the issuance of Order No. 6281 on September 16, 1974, and subsequently amended by Order No. 23905, issued December 20, 1990, in Docket No. 900752-EU, In re: Joint Petition for Approval of 1990 Amendment to Territorial Agreement by Tampa Electric Company and Withlacoochee River Electric Cooperative, Inc. The territorial boundary was subsequently further amended by Order No. PSC-06-0128-PAA-EU, issued February 16, 2006 in Docket No. 041408-EU. That order became effective and final with the issuance of Consummating Order No. PSC-06-0200-CO-EU on March 13, 2006. Attached hereto as Exhibit "A" is a copy of Order No. PSC-06-0128-PAA-EU approving the 2006 amendment to the territorial agreement between the two utilities. Of particular relevance to this proceeding is the map set forth on page 7 of that Order showing the agreed service territorial boundary modifications relative to a then proposed development, Canon Ranch Subdivision.

7. Subsequent to the February 16, 2006 amendment to the territorial boundaries separating Tampa Electric's and WREC's service territories a new developer, Metro Development

Group, acquired the development rights to the portion of Canon Ranch Subdivision now proposed as new subdivision, Mirada Subdivision. That developer has proposed a development plan differing substantially from the Canon Ranch Subdivision plan which was never developed.

8. In 2016, the new developer commenced discussions with Tampa Electric and WREC regarding the provision of retail electric service to the proposed new subdivision. Those discussions led to a mutual agreement among Tampa Electric, WREC and the developer regarding the most efficient, reliable and economic means of providing electric service to the new subdivision.

Proposed Amendment to the Tampa Electric/WREC Territorial Agreement

9. Attached hereto as Exhibit "B" is a map depicting the proposed amendment to the territorial agreement between Tampa Electric and WREC to accommodate the proposed new subdivision. Essentially, the centerline of Mirada Boulevard will serve as the revised territorial boundary between Tampa Electric and WREC as relates to the proposed subdivision. This will allow both utilities to have sufficient access to the various areas to be served. Tampa Electric and WREC believe the proposed boundary amendment in Exhibit "B" will meet the developer's needs and at the same time prove most efficient and cost effective for the affected utilities.

10. Given the fact that this is a proposed new subdivision, no customers are to be transferred as a result of this territorial amendment. Similarly, since this is a proposed new subdivision there are no affected customers to be contacted for purposes of explaining any difference in rates. It also follows that there are no customers in favor of or opposing the territorial amendment. Tampa Electric and WREC have conferred with the developer of the proposed subdivision and are authorized to represent that the developer agrees that the proposed territorial boundary line through the development is appropriate and acceptable.


11. Tampa Electric and WREC assert that the proposed territorial amendment will not cause a decrease in the reliability of electric service to the existing or future ratepayers of either utility. Tampa Electric and WREC further believe the proposed amendment will prevent uneconomic duplication of facilities. The centerline of Mirada Boulevard is a natural dividing line within the proposed subdivision that will facilitate the orderly provision of electric service by Tampa Electric and WREC.

12. Tampa Electric and WREC are not aware of any disputed issues of material fact relating to the matters asserted in this joint petition or the relief requested herein.

WHEREFORE, Tampa Electric and WREC respectfully move the Commission to approve the amendment to their territorial agreement reflected in Exhibit "B" to this petition.

DATED this 29th day of March 2017.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC
COMPANY



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ATTORNEY FOR WITHLACOOCHEE
RIVER ELECTRIC COOPERATIVE, INC.

EXHIBIT A

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Joint petition of Tampa Electric Company and Withlacoochee River Electric Cooperative, Inc. for expedited interim approval of customer transfers pending consideration of joint application for permanent relocation of territorial boundaries.

DOCKET NO. 041408-EU
ORDER NO. PSC-06-0128-PAA-EU
ISSUED: February 16, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

NOTICE OF PROPOSED AGENCY ACTION ORDER APPROVING AMENDMENT
TO TERRITORIAL AGREEMENT BETWEEN TAMPA ELECTRIC COMPANY
AND WITHLACOOCHEE RIVER ELECTRIC COOPERATIVE, INC.

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

The retail electric service boundary between Tampa Electric Company (TECO) and Withlacoochee River Electric Cooperative, Inc. (WREC) was established by Order No. 23905, issued December 20, 1990, in Docket No. 900752-EU, In Re: Joint Petition for approval of 1990 amendment to Territorial Agreement by Tampa Electric Company and Withlacoochee River Electric Cooperative, Inc.

On December 17, 2004, TECO and WREC filed a joint petition for expedited interim approval of customer transfers pending our consideration of an application for permanent relocation of territorial boundaries. The petition requested that TECO be permitted to provide interim electric service to those portions of the Belle Chase subdivision located in WREC's territory so that service could be provided to all of the Belle Chase lots in January 2005. WREC did not have adequate facilities within the area to serve the Belle Chase subdivision. The joint petition also stated that TECO and WREC

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agreed to file a joint application for an amendment to their existing territorial boundary in a subsequent filing. The request for interim service was approved by Order No. PSC-05-0102-PCO-EU, issued January 25, 2005. This docket was held open to address the subsequent joint application for modification of territorial boundaries.

TECO and WREC completed a review of their boundaries in Pasco and Polk Counties and jointly filed a proposed amendment to their retail territorial service boundary on September 8, 2005. The proposed amendment to the existing service territory boundary between TECO and WREC is limited to two geographic areas in addition to the interim service concerns at the Belle Chase subdivision. All three boundary changes are within Pasco County.

We have jurisdiction pursuant to Sections 366.04 and 366.05, Florida Statutes.

The 1990 boundaries approved by Order No. 23905 were established prior to the various subdivision projects that have resulted in the proposed amendment. Joint responses by TECO and WREC to staff's data requests indicate that the utilities have assessed the long-term load, locations of future facilities, and reliability requirements for each of the three areas. In each of the three areas, the least cost approach addressing load growth and system reliability resulted in a retail electric territorial boundary that substantially follows natural boundaries set by the respective development plans. Customers with the same service provider will tend to be grouped together within a development. Thus, the proposed amendment is expected to avoid future uneconomic duplication of facilities because of the coordinated planning and review by TECO and WREC. Drawings of relevant areas showing the new amendment's boundary lines are contained in Attachment A to this order.

The amendment is in compliance with Rule 25-6.0440, Florida Administrative Code, and Section 366.04(2), Florida Statutes, the laws governing territorial agreements. No current customers are affected by the proposed boundary changes. No uneconomic duplication of facilities is expected. Based on the foregoing, the territorial agreement amendment is in the public interest and is approved.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that that the joint petition for approval of amended territorial agreement in Pasco County by Tampa Electric Company and Withlacoochee River Cooperative, Inc. is approved, to become effective when this Order becomes final. It is further

ORDERED that Attachment A to this Order is incorporated herein by reference. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative

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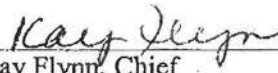
Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 16th day of February, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By:



Kay Flynn, Chief
Bureau of Records

(SEAL)

JAR

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This

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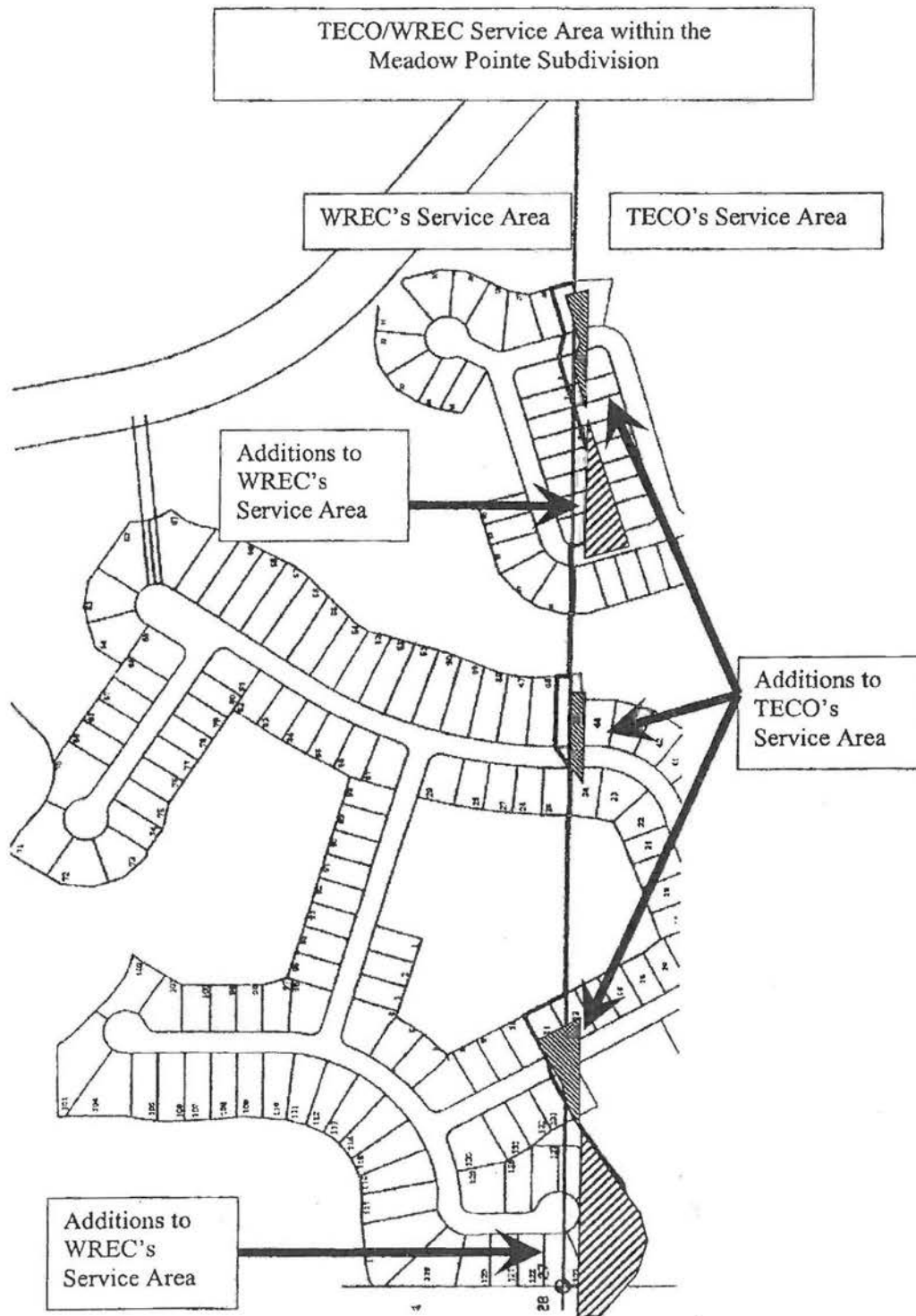
petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 9, 2006.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

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ATTACHMENT A

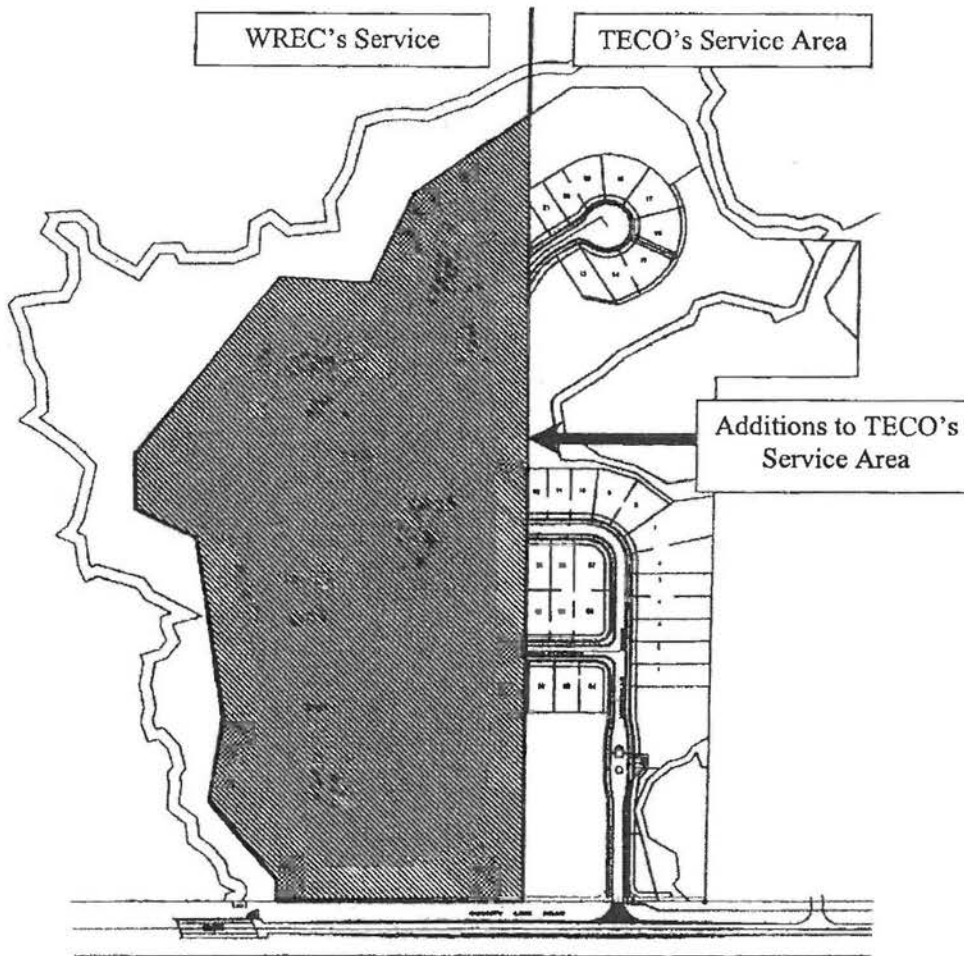


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WREC/TECO Service Area within the Belle Chase Subdivision



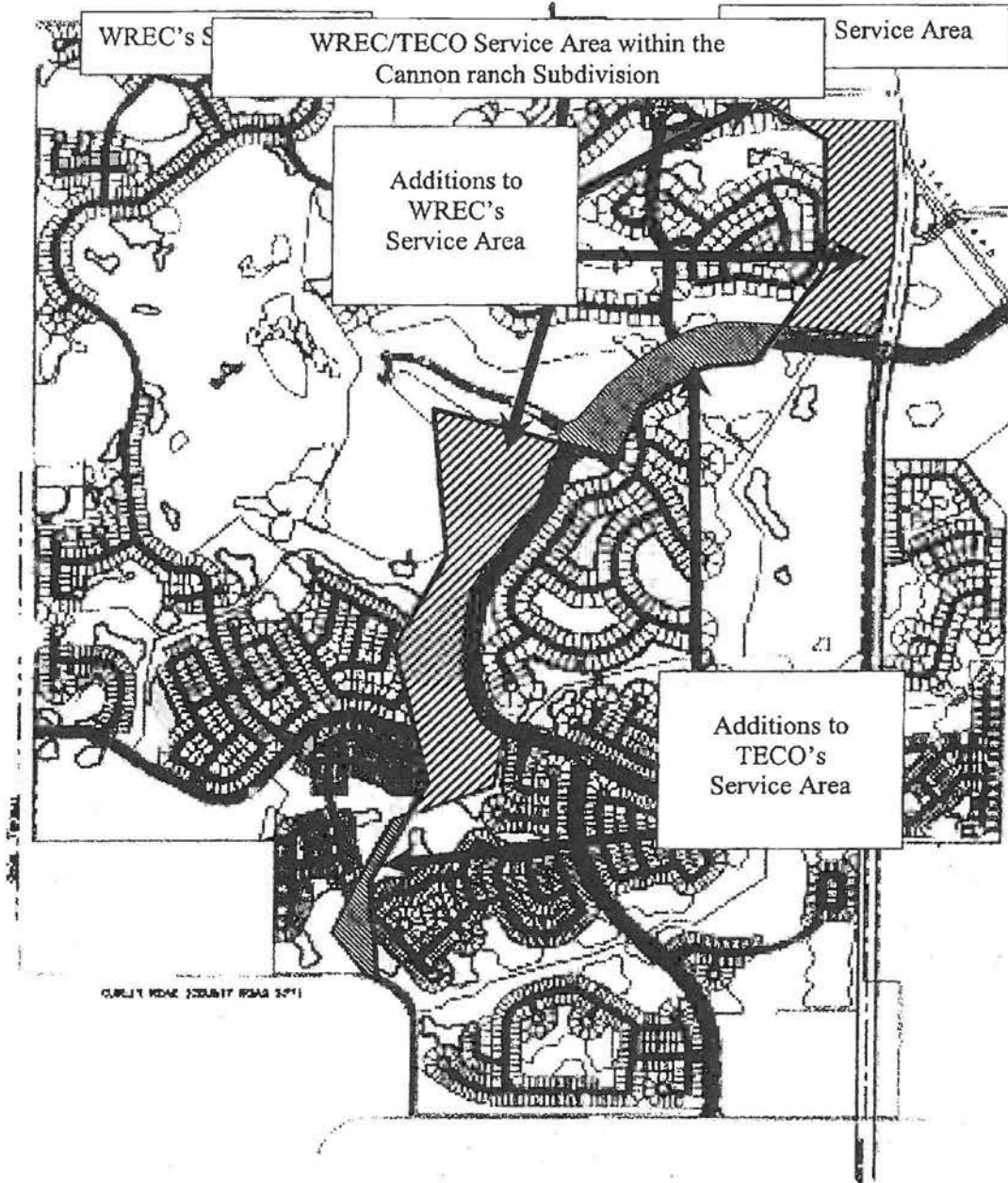


EXHIBIT B

LEGEND:

-  PROPOSED ROW
-  PROPOSED POND
-  WETLAND
-  FUTURE LOTS
-  40' LOTS
-  50' LOTS
-  65' LOTS
-  75' LOTS
-  ACTIVE ADULT LOTS

Current, 2005 approved boundary

2017 Proposed territorial boundary

