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April 12, 2017

BY E-PORTAL

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

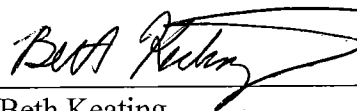
Re: [New Filing] - Petition for approval of tariff modification to address installation of Excess Flow Valves, by Florida City Gas.

Dear Ms. Stauffer:

Attached, for electronic filing, please find Florida City Gas's Petition for approval of tariff modification to address installation of Excess Flow Valves.

Thank you for your assistance with this filing. As always, please do not hesitate to contact me if you have any questions whatsoever.

Sincerely,



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

MEK

Cc:// PSC-Legal
Blake O'Farrow

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of tariff modification to address installation of Excess Flow Valves, by Florida City Gas.	Docket No. Filed: April 12, 2017
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**PETITION FOR APPROVAL OF
MODIFICATION TO TARIFF TO ADDRESS INSTALLATION OF
EXCESS FLOW VALVES**

Florida City Gas (“FCG” or “Company”), by and through its undersigned attorneys, hereby requests, in accordance with Sections 366.041, 366.05 and 366.06, Florida Statutes, as well as Section 368.05, Florida Statutes, approval by the Florida Public Service Commission (“Commission”) of a modification to the Rules and Regulations provisions of its tariff to include language to address situations in which customers request installation of an excess flow valve (“EFV”) or similar such equipment on existing service lines. This request is necessitated by recent changes made by the Pipeline and Hazardous Materials Safety Administration (“PHMSA”) to the safety rules addressing excess flow valve installation and notification, namely 49 CFR §§ 192.381, 192.383, and 192.385. In support of this request, FCG states:

1. The name and address of the petitioner are:

Florida City Gas
933 East 25th Street
Hialeah, FL 33013-3498

2. The names and mailing addresses of the persons to whom notices, orders and correspondence regarding this petition are to be sent are:

Beth Keating
Gunster Law Firm
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

Blake O’Farrow, Director,
Regulatory Affairs
AGL Resources Inc.
10 Peachtree Place
Atlanta, GA 30309

3. FCG is a natural gas local distribution company (“LDC”) providing sales and transportation delivery of natural gas in parts of Florida, and is a public utility subject to the Commission’s regulatory jurisdiction under Chapter 366, Florida Statutes.

4. The Commission has broad jurisdiction, including jurisdiction to grant the relief requested herein, under Sections 366.04, 366.05, and 366.07, Florida Statutes, pursuant to which the Commission is authorized to establish rates and charges for public utilities, and in doing so, to consider, among other things, whether the rules, regulations and practices of the utility are fair and reasonable. The Company is unaware of any material facts in dispute in this regard. This is a Petition representing an initial request to the Commission, which is the affected agency located at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399.

I. BACKGROUND

5. EFVs are mechanical devices installed on natural gas service lines at or near the connection to the main and which are designed to shut off the flow of natural gas if it exceeds the rated capacity of the device. Installation of these devices or equivalent equipment is currently required by Federal regulations for most new or replaced gas service lines serving single family homes. FCG complies with the existing requirements. By notice published in the Federal Register on Friday, October 14, 2016 (“Notice”), PHMSA advised that it was adopting changes to the EFV rules that would expand the current requirements. Among the changes reflected in the Notice, the Rules will now require that “operators,” including distribution companies such as FCG, notify customers of their right to request installation of an EFV or

equivalent equipment on existing service lines. The rule changes go into effect on April 14, 2017.

6. In noticing these rule changes, PHMSA specifically left the question of recovery of installation costs open, instead deferring to the “operators’ rate setter,” which for Florida LDCs is the Florida Commission. Thus, FCG now seeks approval of tariff revisions to address reimbursement for the installation EFVs on existing service lines.

7. The Company believes that the approach reflected by the proposed tariff language is appropriate in that it contemplates installation, at a customer’s request, on an existing line. The installation of an EFV on an existing line will be more involved, and thus more costly, than would otherwise be associated with the installation of the same device on a new line or one that is being replaced. Moreover, for installations on existing service lines, the cost of the facility modification would not have been included in the original calculation of the Maximum Allowable Construction Cost (“MACC”). Thus, if FCG is unable to seek reimbursement from the requesting customer, the Company’s general body of ratepayers will be made to subsidize installation of a device that ultimately benefits an individual customer.

TARIFF SHEETS

8. The Company submits as Attachment A the required revised tariff sheet (in legislative and clean formats) reflecting the incorporation of additional language addressing installation of EFVs at a customer’s request. The proposed language, included at Sheet No. 22B, would require that customers requesting an EFV or equivalent equipment be installed on an existing service line reimburse the Company for the costs of the installation of the device.

9. The proposed revisions are in the public interest, necessitated by federal rule changes, and will facilitate appropriate recovery of installation costs that inure to the benefit of individual customers, rather than the general body of ratepayers.

10. Give that the rule changes go into effect April 14, 2017, FCG respectfully requests expedited processing of this request for consideration by the Commission at the earliest possible Agenda conference.

WHEREFORE, Florida City Gas hereby respectfully requests that the Commission approve, effective as of the date of the Commission's vote, the proposed modification to the Company's tariff to include a new policy addressing the installation of Excess Flow Valves, as described in this Petition and as set forth in First Revised Tariff Sheet No. 22B, which is attached hereto and incorporated herein as Attachment A.

Respectfully submitted this 12th day of April, 2017, by:



Beth Keating, Esquire
Gunster Law Firm
215 South Monroe Street
Suite 601
Tallahassee, FL 32301
Attorneys for Florida City Gas

ATTACHMENT A

(Revised Tariff Sheet 22B)

Clean/Legislative-Tracked Changes

RULES AND REGULATIONS (Continued)

21. ACCESS TO PREMISES

The Customer shall grant to the Company without cost to the Company, all rights, easements, permits and privileges which in the Company's opinion are necessary for the rendering of service. The Customer will furnish to the Company, without charge, an acceptable location for the Company's meter and shall give Company employees and representatives access to the Customer's premise so that the Company may operate, inspect and maintain its facilities. Failure to grant access could result in disconnection of service.

22. Excess Flow Valves

Existing single family residential regardless of size, as well as multi-family residences and commercial customers not using in excess of one-thousand (1,000) standard cubic feet per hour (SCFH) per service, may request the Company to install an excess flow valve (EFV) or equivalent equipment, which appropriate equivalent will be determined in the Company's sole discretion, for the purpose of interrupting the flow of gas. The Customer shall reimburse the Company for the costs associated with installing an EFV (or equivalent equipment) when such installation is performed at the request of the Customer.

RULES AND REGULATIONS (Continued)

21. ACCESS TO PREMISES

The Customer shall grant to the Company without cost to the Company, all rights, easements, permits and privileges which in the Company's opinion are necessary for the rendering of service. The Customer will furnish to the Company, without charge, an acceptable location for the Company's meter and shall give Company employees and representatives access to the Customer's premise so that the Company may operate, inspect and maintain its facilities. Failure to grant access could result in disconnection of service.

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Issued by: Jesse Killings Effective: March 5, 2013
Vice President, Southern Operations Carolyn Bermudez Effective:
Vice President Southern Operations