

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for limited proceeding to
Approve second solar base rate adjustment
(SoBRA), Effective January 1, 2019.

DOCKET NO.: 20180133
FILED: September 17, 2018

**THE FLORIDA INDUSTRIAL POWER USERS GROUP'S
PREHEARING STATEMENT**

The Florida Industrial Power Users Group (FIPUG) files its Prehearing Statement in the above-styled matter.

A. APPEARANCES:

Jon C. Moyle, Jr.
Karen Putnal
Moyle Law Firm, P.A.
118 North Gadsden Street
Tallahassee, FL 32312

Attorneys for the Florida Industrial Power Users Group

B. WITNESSES AND EXHIBITS:

All witnesses listed by other parties.

C. STATEMENT OF BASIC POSITION:

Tampa Electric Company seeks approval of its second solar project for inclusion as a specific, discrete adjustment to base rates pursuant to the 2017 Settlement Agreement approved in Order No. PSC-2017-0456-S-EI. Paragraph 6 of the Settlement Agreement provides many criteria for eligibility under the streamlined, limited proceeding base rate freeze exception provided therein.

FIPUG intends to conduct cross-examination at hearing intended to hold the Company to its burden to demonstrate compliance with the Settlement's terms and otherwise prove that base rates should be increased for the solar projects in question.

GENERIC CONSERVATION COST RECOVERY ISSUES

ISSUE 1: Are the 2019 SoBRA projects proposed by TECO eligible for treatment pursuant to paragraph 6 of the 2017 Agreement?

FIPUG: No. Tampa Electric has not met its burden of demonstrating compliance with all applicable terms of the 2017 Settlement Agreement and that the projects are otherwise warranted.

ISSUE 2: **Are the 2019 SoBRA projects proposed by TECO cost effective pursuant to subparagraph 6(g) of the 2017 Settlement Agreement?**

FIPUG: No. Tampa Electric has not met its burden of demonstrating compliance with all applicable terms of the 2017 Settlement Agreement.

ISSUE 3: **Are the projected installed costs of each of TECO's 2019 SoBRA projects proposed by TECO less than or equal to the Installed Cost Cap of \$1,500 per kWac pursuant to subparagraph 6(d) of the 2017 Agreement?**

FIPUG: No. Tampa Electric has not met its burden of demonstrating compliance with all applicable terms of the 2017 Settlement Agreement.

ISSUE 4: **Is the projected average capital cost of the 2019 SOBRA projects proposed by TECO less than or equal to \$1,475 kWac pursuant to subparagraph 6(c), of the 2017 Agreement?**

FIPUG: No. Tampa Electric has not met its burden of demonstrating compliance with all applicable terms of the 2017 Settlement Agreement.

ISSUE 5: **What are the estimated annual revenue requirements associated with TECO's 2019 SoBRA projects?**

FIPUG: At this time Tampa Electric has not met its burden of demonstrating compliance with all applicable terms of the 2017 Settlement Agreement, so the actual revenue requirements cannot be determined for certain.

ISSUE 6: **What are the appropriate base rates needed to collect the estimated annual revenue requirement for the solar projects in the 2019 SoBRA?**

FIPUG: At this time Tampa Electric has not met its burden of demonstrating compliance with all applicable terms of the 2017 Settlement Agreement, so the actual base rates needed to collect an uncertain revenue requirement cannot be determined for certain.

ISSUE 7: **Should the Commission approve the tariffs for TECO reflecting the base rate increases for the 2019 projects determined to be appropriate in these proceedings?**

FIPUG: Not at this time. Tampa Electric has not met its burden of demonstrating compliance with all applicable terms of the 2017 Settlement Agreement.

ISSUE 8: **Should the docket be closed?**

FIPUG: No. Tampa Electric has not met its burden of demonstrating compliance with all applicable terms of the 2017 Settlement Agreement. The docket should remain open until a final true-up based on actual costs is determined by the Commission.

D. STIPULATED ISSUES:

None at this time.

E. PENDING MOTIONS:

None at this time.

F. STATEMENT OF PARTY'S PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY:

None filed or otherwise sought by FIPUG at this time.

G. OBJECTIONS TO QUALIFICATION OF WITNESSES AS AN EXPERT:

To the extent that any expert witness has not identified his or her area(s) of expertise, FIPUG objects.

H. STATEMENT OF COMPLIANCE WITH ORDER ESTABLISHING PROCEDURE:

There are no requirements of the Order Establishing Procedure with which the Florida Industrial Power Users Group cannot comply at this time.

s/ Jon C. Moyle, Jr.

Jon C. Moyle, Jr.

Moyle Law Firm, P.A.

118 North Gadsden Street

Tallahassee, Florida 32301

Telephone: (850) 681-3828

Facsimile: (850) 681-8788

jmoyle@moylelaw.com

Attorneys for Florida Industrial Power Users Group

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of FIPUG's Prehearing Statement was furnished to the following by Electronic Mail, on this 17th day of September, 2018:

Kurt Schrader
Walt Trierweiler
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399
kschrade@psc.state.fl.us
wtrierweiler@psc.state.fl.us

James Beasley
Jeffrey Wahlen
Ausley Law Firm
P.O. Box 391
Tallahassee, FL 32302
jbeasley@ausley.com
jwahlen@ausley.com

J.R. Kelly/Patricia A. Christensen/Charles J. Rehwinkel/
Office of Public Counsel
111 W. Madison Street, Room 812
Tallahassee, Florida 32399
Kelly.jr@leg.state.fl.us
Christensen.patty@leg.state.fl.us
Rehwinkel.charles@leg.state.fl.us

Paula K. Brown Manager,
Regulatory Coordination
Tampa Electric Company
Post Office Box 111
Tampa, FL 33601
regdept@tecoenergy.com

/s/ Jon C. Moyle
Jon C. Moyle, Jr.