

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: May 28, 2020

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Economics (Guffey) JGH
Office of the General Counsel (Stiller) JSC

RE: Docket No. 20200121-EI – Petition for approval of revised customer specified lighting tariff, by Tampa Electric Company.

AGENDA: 06/09/20 – Regular Agenda – Tariff Filing –Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: 6/12/2020 (60-Day Suspension Date)

SPECIAL INSTRUCTIONS: None

Case Background

On April 13, 2020, Tampa Electric Company (TECO or utility) filed a petition seeking approval of its revised Customer Specified Lighting Tariff (LS-2 tariff). TECO proposes to revise Tariff Sheet No. 6.830 to enable the utility to offer metered service to its LS-2 customers. Currently, the LS-2 tariff is only available as non-metered lighting service. The Commission approved the LS-2 tariff in Order No. PSC-2019-0063-TRF.¹

During the review of this petition, staff issued a data request to TECO for which responses were received on May 5, 2020. TECO filed a revision to Tariff Sheet No. 6.830 which corrected a scrivener's error on May 8, 2020. The proposed revised Tariff Sheet No. 6.830 in legislative format is shown in Attachment A to this recommendation. The Commission has jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

¹ Order No. PSC-2019-0063-TRF-EI, issued February 18, 2019, in Docket No. 20180222-EI, *In re: Petition for approval of customer specified lighting tariff by Tampa Electric Company.*

Discussion of Issues

Issue 1: Should the Commission approve TECO's revised Customer Specified Lighting Tariff (LS-2) Sheet No. 6.830, as shown in Attachment A?

Recommendation: Yes. The Commission should approve TECO's revised LS-2 Sheet No. 6.830, as shown in Attachment A, effective June 9, 2020. The proposed LS-2 tariff revision allows TECO to offer LS-2 customers the option to receive metered lighting service. (Guffey)

Staff Analysis: TECO offers two outdoor lighting service tariffs: the Lighting Service (LS-1) tariff and the LS-2 tariff. Under the LS-1 tariff, customers have the option of unmetered lighting service for TECO-owned fixtures or of metered lighting service for customer-owned fixtures. The LS-1 tariff lists the TECO-owned fixtures available for the unmetered option and the energy is billed based on the estimated usage of the fixture. Under the customer-owned option, TECO provides the energy only and the customer is responsible for maintaining the fixtures. The customer may own fixtures that are not offered by TECO. TECO explained that the majority of LS-1 customers take service under the unmetered utility-owned fixtures option; however, approximately 200 customers own the lighting facilities and use the energy-only rate offering under the LS-1 tariff.

The LS-2 tariff allows TECO to offer service for utility-owned specific fixtures or poles that are not available under the LS-1 tariff. If a customer requests a special or unique fixture, TECO purchases and installs the lighting facilities and bills the customer for the fixture and maintenance cost based on the in-place value of the facilities. Under the current LS-2 tariff, service is unmetered and the energy is billed based on the estimated usage of the fixture.

TECO explained that while the LS-1 tariff provides a metered service option, the current LS-2 tariff does not offer a metered service option. The proposed revision in the LS-2 tariff adds a section titled *Special Conditions* which outlines pricing for metered service. The proposed charges for metered service are the same as the currently approved LS-1 metered energy charge of 2.510 cents per kilowatt-hour (kWh) and basic service charge of \$10.52 per month. Other charges such as energy conservation, capacity, and environmental charges will also be applicable.

TECO explained that the petition was filed in response to LS-1 customers who own metered lighting systems and expressed an interest to transfer ownership and maintenance of the fixtures to TECO. If the fixtures the customer owns are not offered by the utility under the LS-1 tariff, service would have to be transferred to the LS-2 tariff to allow TECO to take ownership of the lighting facilities. In response to staff's data request, TECO stated that an advantage to a customer transferring from LS-1 to LS-2 would be the maintenance, repair, and replacement of their lighting system would be the responsibility of TECO.

Customers taking service under the LS-2 tariff are required to sign a Bright Choices Outdoor Lighting Agreement (agreement) with a minimum 20 year initial term and successive one year terms continuing thereafter until either party provides the other party a 90 day written notice of termination. In response to staff's data request, TECO stated that if an LS-1 customer transferred

to LS-2 and later desires to transfer back to LS-1, an early termination penalty would be applicable, per the agreement.

TECO stated that it currently does not have any customers taking service under the LS-2 tariff, but approximately six LS-1 customers have expressed some interest in transferring to the LS-2 tariff to allow TECO to take ownership of the facilities. TECO explained that any compensation to the customer for the transferred lighting facilities would be negotiated between the customer and TECO and the negotiated amount would be specified in the agreement. The utility states the types of customers who would be interested in transferring are municipal lighting systems, parking lot lighting systems, and lighting in car lots/business spaces. TECO explained that if a customer requests their metered lighting system to be taken over by TECO, the utility would evaluate the existing condition and type of lighting equipment and upgrades needed to the equipment.

Conclusion

Staff has reviewed TECO's petition and response to staff's data request, and believes the proposed revision to the LS-2 tariff to allow for metered service, as currently is available under the LS-1 tariff, is reasonable and appropriate. Staff recommends that the Commission should approve TECO's revised LS-2 Sheet No. 6.830, as shown in Attachment A, effective June 9, 2020.

Issue 2: Should this docket be closed?

Recommendation: If Issue 1 is approved and a protest is filed within 21 days of the issuance of the order, the tariff should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order. (Stiller)

Staff Analysis: If Issue 1 is approved and a protest is filed within 21 days of the issuance of the order, the tariff should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order.



ORIGINAL-FIRST REVISED SHEET NO. 6.830
CANCELS ORIGINAL SHEET NO. 6.830

CUSTOMER SPECIFIED LIGHTING SERVICE

SCHEDULE: LS-2

AVAILABLE: Entire service area

APPLICABLE:

Customer Specified Lighting Service is applicable to any customer for the sole purpose of lighting roadways or other outdoor areas. Service hereunder is provided for the sole and exclusive benefit of the customer, and nothing herein or in the contract executed hereunder is intended to benefit any third party or to impose any obligation on the Company to any such third party. At the Company's option, a deposit amount of up to a two (2) month's average bill may be required at anytime.

CHARACTER OF SERVICE:

Service is provided during the hours of darkness normally on a dusk-to-dawn basis.

At the Company's option and at the customer's request, the company may permit a timer to control a lighting system provided under this rate schedule that is not used for dedicated street or highway lighting. The Company shall install and maintain the timer at the customer's expense. The Company shall program the timer to the customer's specifications as long as such service does not exceed 2,100 hours each year. Access to the timer is restricted to company personnel.

LIMITATION OF SERVICE:

Installation shall be made only when, in the judgment of the Company, location of the proposed lights are, and will continue to be, feasible and accessible to Company personnel and equipment for both construction and maintenance and such installation is not appropriate as a public offering under LS-1.

TERM OF SERVICE:

Service under this rate schedule shall, at the option of the customer, be for an initial term of twenty (20) years beginning on the date one or more of the lighting equipment is installed, energized, and ready for use and shall continue after the initial term for successive one-year terms until terminated by either party upon providing ninety (90) days prior written notice.

SPECIAL CONDITIONS:

On lighting systems not subject to other rate schedules, the monthly rate for energy served at primary or secondary voltage, at the company's option, shall be 2.510¢ per kWh of metered usage, plus a Basic Service Charge of \$10.52 per month and the applicable additional charges as specified on Sheet Nos. 6.020 and 6.021

Continued to Sheet No. 6.835

ISSUED BY: N. G. Tower, President

DATE EFFECTIVE: February 5, 2019