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April 9, 2021

ELECTRONIC FILING

Mr. Adam J. Teitzman, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: **Docket 20210034-EI, Petition for Rate Increase by Tampa Electric Company;**
And
Docket 20200264-EI, Petition of Tampa Electric Company for approval of its
2020 Depreciation and Dismantlement Study and Capital Recovery Schedules.

Dear Mr. Teitzman,

Attached for filing in the above referenced dockets is Tampa Electric Company's Motion to Consolidate the two above-referenced dockets.

Thank you for your assistance in connection with this matter.

Sincerely,



J. Jeffrey Wahlen

JJW:bmp
Attachment

cc: Suzanne Brownless, FPSC
Charles Murphy, Office of the General Counsel
Richard Gentry, Public Counsel
Jon Moyle, FIPUG

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase by)
Tampa Electric Company)
)

DOCKET NO.: 20210034-EI

and

In re: Petition of Tampa Electric Company)
for Approval of 2020 Depreciation and)
Dismantlement Study and Capital Recovery)
Schedules)

DOCKET NO. 20200264-EI

FILED: April 9, 2021

MOTION TO CONSOLIDATE DOCKETS

Tampa Electric Company ("Tampa Electric" or "the company"), pursuant to Rules 28-106.204 and 28-106.108, Florida Administrative Code ("F.A.C."), requests the Florida Public Service Commission (the "Commission") for entry of an Order consolidating Docket No. 20210034-EI (the Tampa Electric Rate Case docket) with Docket No. 20200264-EI (The Tampa Electric Depreciation and Dismantlement Study and Capital Recovery Schedules docket) for all purposes, and in support thereof says:

Introduction

By this motion, Tampa Electric seeks to consolidate the issues to be decided in its pending Rate Case proceeding in Docket No. 20210034-EI with those to be decided in the Company's pending Depreciation and Dismantlement proceeding in Docket No. 20200264-EI. Consolidating these two dockets for all purposes going forward will be consistent with the intent of Tampa Electric and various Consumer Parties to stipulations and settlement agreements approved by the Commission in Tampa Electric's 2000 Base Rate Proceeding and renewed in the Stipulation and Settlement Agreement approved by the Commission in 2017. Consolidating these two dockets will facilitate the orderly and efficient consideration and disposition of inter-related issues in the two dockets that are the subject of this motion, will conserve the costs and labor borne by the affected parties and the Commission, and

will otherwise be prudent and just. If this motion is granted, Tampa Electric suggests that the rate case, Docket No. 20210034-EI, be identified as the primary docket and that futures filings in Docket No. 20200264-EI be made in Docket No. 20210034-EI.

Background

1. Tampa Electric's last general base rate proceeding was conducted in Docket No. 20130040-EI, in re: Petition of Tampa Electric Company for an increase in base rates and service charges, ("2013 Rate Case"). On September 8, 2013, Tampa Electric and a group of Consumer Parties (Office of Public Counsel, Florida Industrial Power Users Group, Florida Retail Federation, Federal Executive Agencies, and West Central Florida Hospital Utility Alliance) filed a Stipulation and Settlement Agreement ("2013 Stipulation") that resolved all the issues in the 2013 Rate Case. The 2013 Agreement was approved by the Commission in Order No. PSC-2013-0443-FOF-EI, issued September 30, 2013. Paragraph 8 of the 2013 Stipulation addressed depreciation and dismantlement and stated that the provision of the Commission rules regarding the filing of these studies every four years would be excused during the term of the Stipulation and specifically provided the following:

[T]he Company shall file a depreciation study no more than one year nor less than sixty days before the filing of its next general rate proceeding under Sections 366.06 and 366.07, Florida Statutes, such that the proposed depreciation rates can be considered contemporaneously with the Company's next general rate proceeding. (Emphasis supplied)

2. In 2017, Tampa Electric and the Consumer Parties amended and restated the 2013 Stipulation and executed a new agreement called the 2017 Amended and Restated Stipulation and Settlement Agreement ("2017 Agreement"). The Commission approved the 2017 Agreement by Order No. PSC-2017-0456-S-EI, issued on November 27, 2017 in Docket Nos. 20170210-EI and 20160160-EI. Paragraph 8 of the 2013 Stipulation was included in paragraph 8 of the 2017 Agreement with certain clarifications.

3. Paragraph 8(c) of the 2017 Agreement continued the requirement of the 2013 Agreement that the Company shall file a depreciation and dismantlement study or studies no more than one year nor less than ninety (90) days before the filing of its next general rate proceeding under Sections 366.06 and 366.07 Florida Statutes, again, to allow the Consumer Parties a reasonable opportunity to review, analyze and potentially rebut depreciation rates or other aspects of such Depreciation and Dismantlement Studies contemporaneously with the Company's next general rate proceeding.

4. The December 30, 2020 filing of the company's pending Petition for approval of its 2020 Depreciation and Dismantlement Study and Capital Recovery Schedule was filed by Tampa Electric in contemplation of the company's rate case petition in Docket No. 20210034-EI, filed April 9, 2021, and was submitted in compliance with the "no more than one year nor less than ninety (90) days before the filing of its next general rate proceeding under Sections 366.06 and 366.07, Florida Statutes", set forth in the 2017 Agreement.

Justification for Consolidation

5. Consolidation of these two dockets is administratively efficient for the following reasons. First, it was contemplated in both the 2013 and 2017 Agreements that were agreed to by Tampa Electric and the Consumer Parties and approved by the Commission. Second, the depreciation expense, dismantlement expense, capital expenditures and related items are included in Tampa Electric's rate case MFRs and supported by the testimonies and exhibits of the Company's rate case witnesses. The depreciation and dismantlement data are so embedded in the rate case MFR calculations that the requests to approve these studies are naturally and rationally included in the rate case. Third, the requested consolidation will provide for a consistent and unified record for the two interrelated dockets. Fourth, consolidating the two dockets will be consistent with past Commission practice. Finally, granting this motion would be consistent with the approach used by the Commission

when it consolidated the rate case and depreciation dockets of Tampa Electric’s affiliate, Peoples Gas System. See Order No. PSC-2020-0198-PCO-GU, issued June 22, 2020, in Docket Nos. 20200051-GU and 20200166-GU [Doc. No. 03215-2020].


6. Rule 28-106.208, F.A.C., allows consolidation when separate matters “involve similar issues of law or fact, or identical parties” and when consolidation “would promote the just, speedy, and inexpensive resolution of the proceedings, and would not unduly prejudice the rights of a party.” For the reasons stated above, the requirements of Rule 28-106.208, F.A.C., have been met and Docket Nos. 20210034-EI and 20200264-EI should be consolidated for all purposes.

7. Tampa Electric has conferred with counsel for the Office of Public Counsel and Florida Industrial Power Users Group and is authorized to represent that each supports this motion.

WHEREFORE, Tampa Electric Company submits the foregoing Motion to Consolidate and respectfully requests that the Commission enter an Order consolidating for all purposes the Company’s pending Rate Case Proceeding in Docket No. 20210034-EI with the pending Depreciation and Dismantlement proceeding in Docket No. 202000264-EI.

DATED this 9th day of April 2021.

Respectfully submitted,



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ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Consolidate Dockets, filed on behalf of Tampa Electric Company, has been served by electronic mail on this 9th day of April, 2021 to the following:

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