

## FILED 8/24/2022 DOCUMENT NO. 05644-2022 FPSC - COMMISSION CLERK

Attorneys and Counselors at Law 123 South Calhoun Street P.O. Box 391 32302 Tallahassee, FL 32301

P: (850) 224-9115 F: (850) 222-7560

ausley.com

August 24, 2022

## **VIA: ELECTRONIC FILING**

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

Re: Application of Tampa Electric Company for Authority to Issue and Sell Securities

pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida

Administrative Code.

FPSC Docket. No.: 20210153-EI

Dear Mr. Teitzman:

Attached for filing in the above-styled matter is Tampa Electric Company's Second Petition to Amend Authority to Issue and Sell Securities for the fiscal period of 12 months ending December 31, 2022.

Thank you for your assistance in connection with this matter.

Sincerely,

Malcolm N. Means

MNM/ne Attachment

#### BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Tampa Electric	)	
Company for authority to issue and sell	)	DOCKET NO. 20210153-EI
securities pursuant to Section 366.04,	)	
Florida Statutes and Chapter 25-8,	)	
Florida Administrative Code	)	FILED: August 24, 2022
	)	<u>-</u>

# TAMPA ELECTRIC COMPANY'S SECOND PETITION TO AMEND AUTHORITY TO ISSUE AND SELL SECURITIES

Tampa Electric Company ("the Company"), pursuant to Section 366.04, Florida Statutes and Rule 25-8.001, et seq., Florida Administrative Code, and files this, its Second Petition to Amend Authority to Issue and Sell Securities, and says:

### I. Preliminary Information

1. The Petitioner's name and address is:

Tampa Electric Company 702 North Franklin Street Tampa, Florida 33602

2. Any pleading, motion, notice, order, or other document required to be served upon any party to this proceeding shall be served on the following individuals:

J. Jeffry Wahlen
jwahlen@ausley.com
Malcolm N. Means
mmeans@ausley.com
Virginia Ponder
vponder@ausley.com
Ausley McMullen
Post Office Box 391
Tallahassee, FL 32302
(850) 224-9115
(850) 222-7560 (fax)

Paula K. Brown
regdept@tecoenergy.com
Manager, Regulatory Coordination
Tampa Electric Company
Post Office Box 111
Tampa, FL 33601
(813) 228-1444
(813) 228-1770 (fax)

- 3. The Company is an investor-owned public utility regulated by the Commission pursuant to Chapter 366, Florida Statutes and is a wholly owned subsidiary of Emera, Inc. The Company's principal place of business is located at 702 N. Franklin Street, Tampa, Florida 33602.
- 4. This petition is filed consistent with Rule 28-106.201, F.A.C. The agency affected is the Florida Public Service Commission ("Commission"), located at 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399.

# II. Statement on Disputed Issues of Material Fact

5. In compliance with paragraph (2)(d) of Rule 28-106.201, F.A.C., the Petitioners state that they are not aware of any disputed issues of material fact at this time, and do not believe any disputed issues of material fact will arise in this docket but acknowledge the possibility that other parties could assert disputed issues of material fact during this proceeding.

## III. Statement of Ultimate Facts Alleged and Providing the Basis for Relief

- 6. On September 3, 2021, Tampa Electric filed a Petition seeking authority to issue, sell, or exchange equity securities and issue, sell, exchange, or assume long-term debt securities in the aggregate of \$1.0 billion or less. The company also sought authority to issue, sell, exchange, or assume short-term debt securities in the amount of \$0.8 billion or less.<sup>1</sup>
- 7. On November 5, 2021, the Commission entered Order No. PSC-2021-0414-FOF-EI in this docket, which approved the company's requested securities issuance authority.
- 8. On December 15, 2021, the Company filed a Petition to Amend Authority to Issue and Sell Securities ("Petition to Amend") for the twelve months ending December 31, 2022. In the Petition to Amend, Tampa Electric sought to increase the company's short-term borrowing authority for 2022 from \$0.8 billion to \$1.0 billion.

2

<sup>&</sup>lt;sup>1</sup> See DN 10063-2021, filed September 9, 2021, in Docket No. 20210153.

- 9. The Petition to Amend was prompted by changes in the credit markets related to the COVID-19 pandemic. More specifically, market pricing for term loans did not return to favorable pre-pandemic levels until the fourth quarter of 2021, after the company filed its initial Petition in September 2021. The company explained that approval of the Petition to Amend would allow it to enter a new 364-day term loan on favorable terms.
- 10. On March 15, 2022, the Commission entered Order No. PSC-2022-0114-FOF-EI approving the company's Petition to Amend and raising the company's short-term borrowing authority for 2022 to \$1.0 billion.
- 11. Tampa Electric now seeks a second amendment to its authority to issue and sell securities to increase the company's short-term borrowing authority to up to \$2.2 billion so the company can borrow additional funds as necessary to address the elevated costs of natural gas and its projected under recovery of fuel costs.
- 12. Tampa Electric projected in the fall of 2021 that the company's fuel and purchased power costs to be recovered in 2022 would be approximately \$598 million.<sup>2</sup>
- 13. By January 2022, the company was projecting that this figure would rise to \$691.5 million, or \$92.7 million higher than the original projection.<sup>3</sup> This increase in the projection was driven primarily by rising natural gas prices. The company accordingly filed a Petition for Mid-Course Correction in January designed to eliminate this projected under-recovery.<sup>4</sup> The Commission approved this mid-course correction in March.<sup>5</sup>

<sup>&</sup>lt;sup>2</sup> See Order No. PSC-2021-0442-FOF-EI, issued November 30, 2021 in Docket No. 20210001-EI, at page 12.

<sup>&</sup>lt;sup>3</sup> See Petition of Tampa Electric Company for Mid-Course Correction of its Fuel Cost Recovery Factors and Capacity Cost Recovery Factors ("Mid-Course Petition"), filed January 19, 2022 in Docket No. 20220001, DN 00350-2022.

<sup>&</sup>lt;sup>5</sup> Order No. PSC-2022-0122-PCO-EI, issued March 18, 2022 in Docket No. 20220001-EI.

14. As of July 27, 2022, the company projected an under-recovery of fuel costs for 2022 of \$411,964,625, inclusive of the March mid-course correction.<sup>6</sup> Again, this under-recovery is driven primarily by high natural gas prices.

15. To address the impacts of elevated natural gas prices, Tampa Electric respectfully requests that the Commission amend the previously granted authority to issue \$1.0 billion in short-term debt and raise that limit to \$2.2 billion. This will provide Tampa Electric with sufficient flexibility to manage volatile fuel costs through the remainder of 2022.

16. Tampa Electric does not seek modification or amendment of any of the other terms set out in Order No. PSC-2022-0114-FOF-EI (approving the first Petition to Amend).

WHEREFORE, Tampa Electric Company respectfully requests that the Commission approve this Second Petition to Amend Authority to Issue and Sell Securities.

DATED this 24th day of August, 2022.

Respectfully submitted,

J. JEFFRY WAHLEN

MALCOLM N. MEANS VIRGINIA PONDER

Ausley McMullen

Post Office Box 391

Tallahassee, Florida 32302

(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

<sup>&</sup>lt;sup>6</sup> See Order No. PSC-2022-0122-PCO-EI, issued March 18, 2022, in Docket No. 20220001-EI.

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Second Petition to Amend Authority to Issue and Sell Securities, filed on behalf of Tampa Electric Company, has been furnished by electronic mail on this 24th day of August, 2022 to the following:

Ryan Sandy
Office of the General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
rsandy@psc.state.fl.us

Richard Gentry
Steven Baird
Charles Rehwinkel
Office of Public Counsel
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
gentry.richard@leg.state.fl.us
baird.steven@leg.state.fl.us
rehwinkel.charles@leg.state.fl.us

ATTORNEY