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Public Service Commission

August 10, 2023

John H. Haswell, Esquire
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STAFF'S FIRST DATA REQUEST
VIA E-MAIL

Nick Batty, Esquire
Director of Legal & Regulatory Services
Keys Energy Services
1001 James Street
Key West, FL 33040
nick.batty@KeysEnergy.com
Lynne.Tejada@KeysEnergy.com

Re: Docket No. 20230087-EU: Joint petition for renewal of territorial agreement and approval of a first amendment, in Monroe County, by Florida Keys Electric Cooperative Association, Inc. and Utility Board of the City of Key West.

Dear Mr. Haswell and Mr. Batty:

By this letter, Commission staff respectfully requests that joint petitioners Florida Keys Electric Cooperative Association, Inc. (FKEC) and Utility Board of the City of Key West d/b/a Keys Energy Services (KEYS) provide joint responses to the following questions. If either party desires to provide an independent response to one or more of these questions, please clearly indicate the party and the portion of the response it is independently providing.

1. Petition paragraph 6 states that the current agreement's 30-year term expired on September 26, 2021. Article 5 (Duration) of the current (1991) Agreement states that "...however, that each such renewal of this Agreement shall require prerequisite approval of the Commission with the same effect as the original Commission approval of this Agreement as required and provided for in Article 4 hereof." Please explain why the joint petitioners did not submit the Agreement renewal for Commission action at the expiration in September of 2021.

2. Please explain how the joint petitioners abided by the conditions of the 1991 Agreement since its expiration in September 2021.
3. Petition paragraph 8 states that the Pigeon Key Foundation, Inc. (Foundation) has been using self serviced generators for its electricity needs. Please provide the number of years the Foundation has been using generators and explain the reasons for the Foundation's request now for Central Station Electric service.
4. Petition paragraph 9, Sections A, B, and C describe the three options by which electric service could be provided from the KEYS to the Foundation. Paragraph 10 states that method 9(A) is the most economic at a total estimated cost of \$6M. Please provide the cost estimates for options B and C described in paragraph 9.
5. Petition paragraph 11 states that the "total cost incurred by FKEC to add facilities within FKEC's current service territory area to connect to the Foundation's facilities was \$6,011.53." With reference to this statement, please describe the facilities that were added along with when they were added which reconciles to the cost stated above.
6. Is FKEC is currently providing service to the Foundation?
 - a. If yes, please discuss in detail.
 - b. If no, please provide the estimated length of construction time to eventually provide service to the Foundation on Pigeon Key.
7. In what manner will FKEC recover the incurred cost of \$6,011.53 for adding facilities to connect to the Foundation facilities? Please fully explain.
8. Refer to Petition Paragraph 11, and Amendment Paragraph 2, regarding the facilities constructed by the Foundation.
 - a. The cost of these facilities has been estimated to be approximately \$500,000. Please provide a breakdown of the costs.
 - b. Please explain who will be responsible for the maintenance and upkeep of the facilities once they are operational.
9. Please clarify whether a formal written agreement has been drafted or executed with the Florida Department of Transportation regarding ownership, use, and maintenance of the privately constructed facilities on a publicly owned bridge.
10. Petition paragraph 14 states that the "Foundation has been provided with the difference in the applicable electric service rates of the two utilities." Please provide a copy of the notification showing the differences in rates and tariffs provided to the Foundation.

August 10, 2023

11. Please indicate whether the Foundation will be paying FKEC tariffed rates and, if so, please indicate which rate schedule will be applicable.
12. Please discuss why the Foundation “arranged for the construction and installation of the facilities (conduit, wire, labor, engineering fees, constructing underground on the island, transformers, and a power pole listed)” as stated in paragraph 2 of the First Amendment, including who constructed and installed the facilities on behalf of the Foundation.
13. Please discuss whether the facilities constructed by the Foundation would eventually be transferred to FKEC.
14. Exhibit 1 to the First Amendment (map) indicates the newly added service territory of the FKEC to include Pigeon Key. Although the service territory is proposed to be extended to include Pigeon Key, the territorial boundary dividing line on the new map still appears to be the old dividing line. Please indicate whether the service territory dividing line should be moved westward to include Pigeon Key and if so, please provide clear, color map of the proposed boundary change.

Please file all responses electronically no later than August 24, 2023 via the Commission’s website at www.floridapsc.com by selecting the Clerk’s Office tab and Electronic Filing Web Form. Please contact me at sguffey@psc.state.fl.us or at 850.413.6204 if you have any questions.

Thank you.

/s/Sevini Guffey

Sevini Guffey

Public Utility Analyst IV

cc: Office of Commission Clerk