

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 20, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Economics (Guffey) *EG*
Office of the General Counsel (Thompson, Farooqi) *JSC*

RE: Docket No. 20260064-EI – Petition for a limited proceeding to approve large load tariff, by Duke Energy Florida, LLC.

AGENDA: 06/02/26 – Regular Agenda – Tariff Suspension – Participation is at the Commission’s Discretion

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Clark

CRITICAL DATES: 06/22/26 (60-Day Suspension Date)

SPECIAL INSTRUCTIONS: None

Case Background

On September 5, 2025, in Docket No. 20250113-EI, Duke Energy Florida, LLC (DEF or Utility) filed a petition requesting approval of a new large load tariff with an associated rate schedule and other associated provisions. On March 13, 2026, the Florida Legislature passed Senate Bill 484 (SB 484), which if signed into law, would have had an impact on the tariff as filed. On March 19, 2026, the docket was abated. On April 20, 2026, DEF filed a status report notifying the PSC of the withdrawal of its petition.¹ Docket No. 20250113-EI was subsequently closed on April 27, 2026.

On April 22, 2026, DEF filed a new petition for a limited proceeding seeking approval of a new Large Load Customer Policy (LLCP), a Large Load Customer Agreement (LLCA), and revised

¹ Duke Energy Florida, LLC’s Status Report, filed on April 20, 2026, Document No. 02266-2026.

Contribution in Aid of Construction (CIAC) tariffs. DEF states that this filing complies with newly passed state legislation, SB 484. The Governor signed SB 484 into law on May 7, 2026, which takes effect on July 1, 2026 (Chapter No. 2026-65, Laws of Florida).

The LLCP and associated LLCA establish a minimum contract term, minimum monthly bill provisions, security requirements, and early termination provisions. Customers subject to the LLCP must also pay a non-refundable system impact fee. Finally, the LLCP contains a CIAC provision requiring customers to pay 100 percent of the estimated costs to extend service in advance.

Pursuant to the proposed LLCP, potential large load customers would take service under DEF's existing GSD-1 or GSDDT-1 rate schedules until a new rate class is established as anticipated in DEF's next rate case filing. In this filing, a large load customer is defined as a customer with a Peak Contract Demand forecast to be greater than or equal to a Monthly Maximum Demand of 50 Megawatts (MW) at a single location. Customers meeting this criteria would be subject to the LLCP and would need to execute the LLCA. Customers already existing on the Utility's system as of December 31, 2025, that meet the demand requirements would not be subject to these additional requirements.

The Office of Public Counsel's intervention in this docket was acknowledged by Order No. PSC-2026-0144-PCO-EI, issued May 8, 2026. As of May 15, 2026, PCS Phosphate – White Springs and Florida Rising, Inc. have requested intervention in this docket. This is staff's recommendation to suspend the proposed tariffs. The Commission has jurisdiction over this matter pursuant to Sections 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

Discussion of Issues

Issue 1: Should the Commission suspend DEF's proposed Large Load Customer Policy (LLCP), Large Load Customer Agreement (LLCA), and revised Contribution in Aid of Construction (CIAC) tariffs?

Recommendation: Yes. Staff recommends that DEF's proposed LLCP, LLCA, and revised CIAC tariffs be suspended to allow staff sufficient time to review the petition and gather all pertinent information in order to present the Commission with an informed recommendation on the proposed tariff modifications. (Guffey)

Staff Analysis: Staff recommends that DEF's proposed LLCP, LLCA, and revised CIAC tariffs be suspended to allow staff and the parties sufficient time to analyze the petition and for the Commission to conduct an administrative hearing.

Pursuant to Section 366.06(3), F.S., the Commission may withhold consent to the operation of all or any portion of the new rate schedules, delivering to the Utility requesting such a change, a reason, or written statement of a good cause for doing so within 60 days. Staff believes that the reason stated above is a good cause consistent with the requirement of Section 366.06(3), F.S.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending the Commission decision on DEF's proposed request for approval of its new LLCP, LLCA, and revised CIAC tariff. (Thompson, Farooqi)

Staff Analysis: This docket should remain open pending the Commission decision on DEF's proposed request for approval of its new LLCP, LLCA, and revised CIAC tariff.