

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, March 8, 2011, 9:30 a.m.

LOCATION: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

DATE ISSUED: February 24, 2011

NOTICE

Persons affected by Commission action on certain items on this agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at this conference. These items are designated by double asterisks (**) next to the agenda item number.

To participate informally, affected persons need only appear at the agenda conference and request the opportunity to address the Commission on an item listed on agenda. Informal participation is not permitted: (1) on dispositive motions and motions for reconsideration; (2) when a recommended order is taken up by the Commission; (3) in a rulemaking proceeding after the record has been closed; or (4) when the Commission considers a post-hearing recommendation on the merits of a case after the close of the record. The Commission allows informal participation at its discretion in certain types of cases (such as declaratory statements and interim rate orders) in which an order is issued based on a given set of facts without hearing.

See Rule 25-22.0021, F.A.C., concerning Agenda Conference participation and Rule 25-22.0022, F.A.C., concerning oral argument.

Agendas, staff recommendations, vote sheets, transcripts, and conference minutes are available from the PSC Web site, <http://www.floridapsc.com>, by selecting *Agenda & Hearings* and *Agenda Conferences of the FPSC*. By selecting the docket number, you can advance to the *Docket Details* page and the Document Index Listing for the particular docket. If you have any questions, contact the Office of Commission Clerk at (850) 413-6770 or e-mail the clerk at Clerk@psc.state.fl.us.

Any person requiring some accommodation at this conference because of a physical impairment should call the Office of Commission Clerk at least 48 hours before the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). Assistive Listening Devices are available in the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Commission Conference has a live video broadcast the day of the conference, which is available from the PSC's Web site. Upon completion of the conference, the video will be available from the Web site by selecting *Agenda and Hearings* and *Audio and Video Event Coverage*.

Table of Contents
Commission Conference Agenda
March 8, 2011

1	Approval of Minutes February 8, 2011 Regular Commission Conference.....	2
2**	Consent Agenda	2
3**PAA	Docket No. 100027-TL – Investigation and determination of appropriate method for refunding apparent rebates not provided by Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone as required by rule and/or tariff.	3
4**	Docket No. 110030-EI – Petition for approval of revisions to Tariff Sheet Nos. 6.280 through 6.284 and approve original Tariff Sheet No. 6.2811 in Rate Schedule LS-1, Lighting Service by Progress Energy Florida, Inc.	5
5**	Docket No. 110031-EG – Petition for approval of residential service dynamic price response pilot rate by Florida Power & Light Company.	6

Agenda for
Commission Conference
March 8, 2011

<u>ITEM NO.</u>	<u>CASE</u>						
1	Approval of Minutes February 8, 2011 Regular Commission Conference						
2**	Consent Agenda						
PAA	A) Applications for Certificates to Provide Competitive Local Exchange Telecommunications Service.						
	<table><tr><th><u>DOCKET NO.</u></th><th><u>COMPANY NAME</u></th></tr><tr><td>110040-TX</td><td>Telco Experts, LLC</td></tr><tr><td>110046-TX</td><td>Gracias VRS, LLC</td></tr></table>	<u>DOCKET NO.</u>	<u>COMPANY NAME</u>	110040-TX	Telco Experts, LLC	110046-TX	Gracias VRS, LLC
<u>DOCKET NO.</u>	<u>COMPANY NAME</u>						
110040-TX	Telco Experts, LLC						
110046-TX	Gracias VRS, LLC						

Recommendation: The Commission should approve the action requested in the dockets referenced above and close these dockets.

ITEM NO.

CASE

3**PAA

Docket No. 100027-TL – Investigation and determination of appropriate method for refunding apparent rebates not provided by Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone as required by rule and/or tariff.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: RAD: Lowery

ECR: Davis

GCL: Harris

SSC: Vickery

Issue 1: Should the Commission approve Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone's proposal to issue time-out-of-service and failure to meet new service installation commitment credits of \$27,017.41, plus interest in the amount of \$817.19, for a total of \$27,834.60 to the affected customers during the April 2011 billing cycle; require the company to remit any unrefundable monies to the Commission by August 1, 2011, for deposit in the General Revenue Fund; and require the company to submit a refund report by August 1, 2011, to the Commission stating: (1) how much was refunded to its customers, (2) the total number of customers receiving refunds, and (3) the amount of money determined to be unrefundable.

Recommendation: Yes. The Commission should approve Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone's refund proposal. As required by Rule 25-4.114, F.A.C., for those customers still on the system, a credit shall be made on the bill. For customers entitled to a refund but no longer on the system, the company shall mail a refund check to the last known billing address except that no refund for less than \$1.00 will be made to these customers. At the end of the refund period, any amount not refunded, including interest, should be remitted to the Commission for deposit in the General Revenue Fund.

Issue 2: Should Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone be required to show cause why it should not pay a penalty for its apparent violation of Rule 25-4.110, F.A.C., Customer Billing for Local Exchange Telecommunications Companies and Rule 25-4.034, F.A.C., Tariffs?

Recommendation: No. Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone should not be required to show cause why it should not pay a fine for apparent violation of Rule 25-4.110, F.A.C., Customer Billing for Local Exchange Telecommunications Companies.

ITEM NO.

CASE

3**PAA

Docket No. 100027-TL – Investigation and determination of appropriate method for refunding apparent rebates not provided by Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone as required by rule and/or tariff.

(Continued from previous page)

Issue 3: Should this docket be closed?

Recommendation: The Order issued from this recommendation will be proposed agency action. Thus, the Order will become final and effective upon issuance of the Consummating Order if no person whose substantial interests are affected timely files a protest within 21 days of issuance of this Order. The company should submit its final report, identified by docket number, by August 1, 2011. Upon receipt of the final report, including the disposition of unclaimed funds, this docket should be closed administratively if no timely protest has been filed.

ITEM NO.

CASE

4**

Docket No. 110030-EI – Petition for approval of revisions to Tariff Sheet Nos. 6.280 through 6.284 and approve original Tariff Sheet No. 6.2811 in Rate Schedule LS-1, Lighting Service by Progress Energy Florida, Inc.

Critical Date(s): 03/15/11 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECR: Roberts

GCL: Klancke

Issue 1: Should the Commission approve PEF's proposed changes to its Retail Tariff Rate Schedule LS-1 Lighting Service?

Recommendation: Yes.

Issue 2: What is the appropriate effective date for the revised tariffs?

Recommendation: The appropriate effective date for the revised tariffs is March 8, 2011.

Issue 3: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, the docket should be closed if no person whose interests are substantially affected by the Commission's decision files a protest within the 21-day protest period. If no timely protest is filed, this docket should be closed upon issuance of the consummating order.

ITEM NO.

CASE

5**

Docket No. 110031-EG – Petition for approval of residential service dynamic price response pilot rate by Florida Power & Light Company.

Critical Date(s): 03/15/11 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECR: Roberts, Draper

GCL: Young

RAD: Garl

Issue 1: Should FPL's petition for approval of its proposed Residential Service Dynamic Price Response Pilot Rate (Pilot Rate), and the associated tariff sheets Nos. 8.220, and 8.030.2, be suspended pending a final decision in this docket?

Recommendation: Yes. The Pilot Rate program and its associated tariff sheets should 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.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending the Commission's final decision on the proposed Residential Service Dynamic Price Response Pilot Rate and its associated tariffs.