

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, March 5, 2013, 9:30 a.m.

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

DATE ISSUED: February 22, 2013

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, and vote sheets are available from the PSC Web site, <http://www.floridapsc.com>, by selecting *Conferences & Meeting Agendas* and *Commission Conferences of the FPSC*. Once filed, a verbatim transcript of the Commission Conference will be available from this page by selecting the conference date, or by selecting *Clerk's Office* and the Item's docket number, (you can then advance to the *Docket Details* page and the Document Filings Index for that particular docket). An official vote of "move staff" denotes that the Item's recommendations were approved. 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.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1-800-955-8770 (Voice) or 1-800-955-8771 (TDD), Florida Relay Service. Assistive Listening Devices are available at 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 *Conferences & Meeting Agendas*, then *Audio and Video Event Coverage*.

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ITEM NO.

CASE

1**PAA

Docket No. 060774-EI – Complaint of Frederick Smallakoff against Florida Power & Light Company concerning alleged improper bills, Case No. 696236E.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brisé

Staff: GCL: Brown

CAO: Plescow

ECO: King, Daniel

Issue 1: Should the Commission deny Mr. Smallakoff’s complaint against FPL?

Recommendation: Yes. FPL has resolved this complaint by crediting Mr. Smallakoff’s account with the amount in dispute of \$300 and a further amount of \$406.13. There is no credible evidence or documentation showing that FPL is currently in violation of any Commission statute, rule or order with respect to Mr. Smallakoff’s account, and therefore there is no relief that the Commission could grant in this matter.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest to the Commission’s proposed agency action order within 21 days, the docket may be closed upon issuance of a consummating order.

ITEM NO.

CASE

2**PAA

Docket No. 120176-EI – Complaint of Frederick Smallakoff against Progress Energy Florida, Inc. concerning alleged improper bills, Case No. 1059336E.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Lawson

CAO: Forsman, Hicks

ECO: King

ENG: Moses

Issue 1: What is the appropriate disposition of Mr. Smallakoff's complaint?

Recommendation: Mr. Smallakoff's complaint should be denied and he should pay the outstanding amount of \$340 as previously billed by the utility. It appears that Mr. Smallakoff's account was properly billed in accordance with Commission statutes, rules, and PEF's tariffs. Based on documentation provided, an audit of the account indicates that the account balance is accurate. The additional deposit has been accurately calculated and assessed. Furthermore, it does not appear that PEF has violated any jurisdictionally applicable provision of the Florida Statutes, the Florida Administrative Code, or its tariff in the handling of Mr. Smallakoff's account.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no person whose substantial interests are affected files a protest to the Commission's proposed agency action order within 21 days, the docket may be closed upon issuance of a consummating order.

ITEM NO.

CASE

3

Docket No. 110305-EI – Initiation of formal proceedings of Complaint No. 1006767E of Edward McDonald against Tampa Electric Company, for alleged improper billing.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Murphy

CAO: Forsman, Hicks

ECO: Draper

(Oral Argument Not Requested)

Issue 1: Should the Commission grant Mr. McDonald's Amended Motion for Stay Pending Judicial Review?

Recommendation: No. The Commission should deny Mr. McDonald's Amended Motion for Stay.

Issue 2: Should this docket be closed?

Recommendation: No. this docket should remain open during the pendency of Mr. McDonald's appeal.

ITEM NO.

CASE

4

Docket No. 120231-TP – Complaint of Budget Prepay, Inc. against BellSouth Telecommunications, LLC d/b/a AT&T Florida.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: GCL: Murphy

TEL: Bates, Fogleman, Hawkins

(Oral Argument Not Requested)

Issue 1: Should the Commission grant the Parties' Joint Motion to Dismiss with Prejudice and close the docket?

Recommendation: Yes. The Commission should grant the Parties' Joint Motion to Dismiss with Prejudice and close the docket.

ITEM NO.

CASE

5

Docket No. 120015-EI – Petition for increase in rates by Florida Power & Light Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brisé

Staff: GCL: Young, Brown, Harris, Klancke

AFD: Maurey, Willis

ECO: Dean

ENG: Ballinger

(Participation is at the Commission's Discretion. Oral Argument Not Requested.)

Issue 1: Should the Commission grant Mr. Saporito's Motion for Reconsideration of Order No. PSC-13-0023-S-EI and his additional requests for further hearing and an opportunity to engage in discovery which are a part of the Motion for Reconsideration?

Recommendation: No. The Commission should deny the motion for reconsideration in its entirety. Mr. Saporito has failed to identify a point of fact or law that was overlooked or which the Commission failed to consider in Order No. PSC-13-0023-S-EI.

Issue 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon the expiration of the time for appeal.

ITEM NO.

CASE

6**PAA

Docket No. 100471-SU – Application for staff-assisted rate case in Marion County by S & L Utilities, Inc.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brisé

Staff: AFD: Maurey, Fletcher
ECO: Daniel, Hudson, Roberts
ENG: Simpson
GCL: Murphy

Issue 1: Should the Utility's request for an extension of time to complete the pro forma plant addition be approved?

Recommendation: Yes. The Utility's request for an extension of time to complete the final pro forma plant addition should be approved. S & L should have the final plant addition completed by November 1, 2013.

Issue 2: Should the Commission revise the Phase II rates to reflect the pro forma plant additions completed by the Utility, and if so, what are the appropriate return on equity (ROE), overall rate of return, revenue requirement, and rates?

Recommendation: Yes. The Commission should revise the Phase II revenue requirement to reflect the pro forma plant additions completed to date. S & L's ROE should be 11.16 percent with a range of 10.16 to 12.16 percent. The appropriate overall rate of return is 7.31 percent. The revised Phase II revenue requirement is \$61,693, which equates to an increase of 2.94 percent over the Phase I revenue requirement. The Phase II increase should be applied as an across-the-board increase to the Phase I rates currently in effect. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. In addition, the approved rates should not be implemented until staff has approved the proposed customer notice and the notice has been received by the customers. The Utility should provide proof of the date notice was given within 10 days of the date of the notice.

ITEM NO.

CASE

6**PAA

Docket No. 100471-SU – Application for staff-assisted rate case in Marion County by S & L Utilities, Inc.

(Continued from previous page)

Issue 3: Should the Commission approve a Phase III rate increase for this Utility and if so, what is the appropriate ROE, overall rate of return, revenue requirement, and rates?

Recommendation: Yes. The Commission should approve Phase III rates to reflect the final pro forma plant additions. S & L's ROE should be 11.16 percent with a range of 10.16 to 12.16 percent. The appropriate overall rate of return is 7.11 percent. The Phase III revenue requirement is \$63,309, which equates to an increase of 2.62 percent over the Phase II revenue requirement. The Phase III increase should be applied as an across-the-board increase to the Phase II rates. The Utility should be allowed to implement the above rates once the pro forma addition for the two air blowers has been completed and documentation provided showing that the improvements have been made. Once verified, the rates should be effective for service rendered on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. The rates should not be implemented until notice has been received by the customers. S & L should provide proof of the date notice was given within 10 days of the date of the notice. If the Utility encounters any unforeseen events that will impede the completion of the pro forma project, the Utility should immediately notify the Commission in writing.

Issue 4: What is the appropriate initial customer deposit for this Utility?

Recommendation: An initial customer deposit of \$136 should be approved. The Utility should file a revised tariff sheet and proposed notice consistent with the Commission's vote. The initial customer deposit should become effective for connections made on or after the stamped approval date of the revised tariff sheet after the customers have been notified.

Issue 5: Should this docket be closed?

Recommendation: No. The docket should remain open for staff's verification that the revised tariff sheets and customer notice have been filed by the Utility and approved by staff. Also, the docket should remain open to allow staff to verify that the pro forma items have been completed and the Phase III rates properly implemented. Once these actions are complete, this docket should be closed administratively.

ITEM NO.

CASE

7**PAA

Docket No. 120078-SU – Application for staff-assisted rate case in Brevard County by TKCB.

Critical Date(s): 09/06/13 (15-Month Effective Date (SARC))

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: AFD: Fletcher, Maurey
ECO: Bruce, Daniel, Hudson
ENG: McRoy
GCL: Tan, Teitzman

(Proposed Agency Action Except for Issue Nos. 11 and 13.)

Issue 1: Is the quality of service provided by TKCB satisfactory?

Recommendation: Yes. The Utility is in the process of correcting all deficiencies noted by DEP. The Utility should file a completion letter with the Commission by July 1, 2013.

Issue 2: What are the used and useful percentages of the Utility's wastewater treatment plant and collection system?

Recommendation: Staff's field inspection confirmed the service area is built out, and there are no plans for expansion. Pursuant to Rule 25-30.432, F.A.C., staff recommends that the wastewater treatment plant and collection system be considered 100 percent used and useful (U&U).

Issue 3: What is the appropriate average test year rate base for TKCB?

Recommendation: The appropriate average test year rate base for TKCB is \$52,477.

Issue 4: What is the appropriate return on equity and overall rate of return for TKCB?

Recommendation: The appropriate return on equity (ROE) is 8.74 percent with a range of 7.74 percent to 9.74 percent. The appropriate overall rate of return is 8.74 percent.

Issue 5: What is the appropriate amount of test year revenue?

Recommendation: The appropriate test year revenue for TKCB is \$69,473.

Issue 6: What is the appropriate amount of test year operating expense?

Recommendation: The appropriate amount of test year operating expense for TKCB is \$66,621.

Issue 7: Should the Commission utilize the operating ratio methodology as an alternative means to calculate the revenue requirement for TKCB, and, if so, what is the appropriate margin?

Recommendation: Yes, the Commission, on its own motion, should utilize the operating ratio methodology for calculating the revenue requirement for TKCB. The margin should be 10 percent of O&M expense.

Issue 8: What is the appropriate revenue requirement?

Recommendation: The appropriate revenue requirement is \$72,835.

ITEM NO.

CASE

7**PAA

Docket No. 120078-SU – Application for staff-assisted rate case in Brevard County by TKCB.

(Continued from previous page)

Issue 9: What is the appropriate rate structure for TKCB?

Recommendation: The appropriate rate structure should be a continuation of the base facility charge (BFC) and uniform gallonage charge rate structure. Staff recommends the residential wastewater gallonage cap be set at 6,000 gallons a month. Furthermore, staff recommends that the non-residential gallonage charge be 1.2 times greater than the residential gallonage charge.

Issue 10: What are the appropriate rates for TKCB?

Recommendation: The appropriate monthly wastewater rates are shown on Schedule No. 4 of staff's memorandum dated February 21, 2013. The recommended rates should be designed to produce revenues of \$72,835. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. In addition, the approved rates should not be implemented until staff has approved the proposed customer notice and the notice has been received by the customers. The Utility should provide proof of the date notice was given within 10 days after the date of the notice.

Issue 11: What is the appropriate amount by which rates should be reduced four years after the established effective date to reflect the removal of the amortized rate case expense as required by Section 367.0816, F.S.?

Recommendation: The wastewater rates should be reduced as shown on Schedule No. 4 of staff's memorandum dated February 21, 2013, to remove rate case expense grossed up for RAFs and amortized over a four-year period. The decrease in rates should become effective immediately following the expiration of the four-year rate case expense recovery period, pursuant to Section 367.0816, F.S. The Utility should be required to file revised tariffs and a proposed customer notice setting forth the lower rates and the reason for the reduction no later than one month prior to the actual date of the required rate reduction. If TKCB files this reduction in conjunction with a price index or pass-through rate adjustment, separate data should be filed for the price index and/or pass-through increase or decrease and the reduction in the rates due to the amortized rate case expense.

ITEM NO.

CASE

7**PAA

Docket No. 120078-SU – Application for staff-assisted rate case in Brevard County by TKCB.

(Continued from previous page)

Issue 12: Should the recommended rates be approved for TKCB on a temporary basis, subject to refund, in the event of a protest filed by a party other than the Utility?

Recommendation: Yes. Pursuant to Section 367.0814(7), F.S., the recommended rates should be approved for the Utility on a temporary basis, subject to refund, in the event of a protest filed by a party other than the Utility. TKCB should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. In addition, the temporary rates should not be implemented until staff has approved the proposed notice, and the notice has been received by the customers. Prior to implementation of any temporary rates, the Utility should provide appropriate security. If the recommended rates are approved on a temporary basis, the rates collected by the Utility should be subject to the refund provisions discussed below in the staff analysis portion of staff's recommendation dated February 21, 2013. In addition, after the increased rates are in effect, pursuant to Rule 25-30.360(6), F.A.C., the Utility should file reports with the Commission Clerk's office no later than the 20th of each month indicating the monthly and total amount of money subject to refund at the end of the preceding month. The report filed should also indicate the status of the security being used to guarantee repayment of any potential refund.

Issue 13: Should TKCB be required to provide proof, within 90 days of an effective order finalizing this docket, that it has adjusted its books for all applicable NARUC Uniform System of Accounts (USOA) primary accounts associated with the Commission-approved adjustments?

Recommendation: Yes. To ensure that the Utility adjusts its books in accordance with the Commission's decision, TKCB should provide proof, within 90 days of the final order in this docket, that the adjustments for all applicable NARUC USOA primary accounts have been made.

Issue 14: Should this docket be closed?

Recommendation: No. If no person whose substantial interests are affected by the proposed agency action files a protest within twenty-one days of the issuance of the order, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets and customer notice have been filed by the Utility and approved by staff. Once these actions are complete, this docket should be closed administratively.

ITEM NO.

CASE

8**PAA

Docket No. 120183-WU – Application for staff-assisted rate case in Lake County by TLP Water, Inc.

Critical Date(s): 11/29/13 (15-Month Effective Date (SARC))

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: AFD: Golden, Mouring, Prestwood

ECO: Lingo, Roberts, Hudson

ENG: Lewis, Rieger, Ballinger

GCL: Harris

Issue 1: Is the quality of service provided by TLP satisfactory?

Recommendation: No. Consistent with the Utility's last rate case, quality of service should be considered marginal due to the outstanding Department of Environmental Protection (DEP) violations concerning the distribution system. The Utility has been required by DEP to replace the water distribution system, and it is currently in the process of securing funding from the United States Department of Agriculture (USDA). Given the existing compliance status with DEP, the Utility should provide Commission staff with a report within six months of the Proposed Agency Action (PAA) order in this docket, detailing its efforts in obtaining USDA funding to replace the water distribution system and obtain the appropriate DEP permitting.

Issue 2: What are the used and useful percentages of the water treatment plant and the water distribution system?

Recommendation: The water treatment plant and distribution system should be considered 100 percent used and useful.

Issue 3: What is the appropriate average test year rate base for TLP?

Recommendation: The appropriate average test year rate base for the Utility is \$61,537.

Issue 4: What is the appropriate rate of return on equity and overall rate of return for TLP?

Recommendation: The appropriate return on equity (ROE) is 8.74 percent with a range of 7.74 percent to 9.74 percent. The appropriate overall rate of return is 8.74 percent.

Issue 5: What is the appropriate amount of test year revenue?

Recommendation: The appropriate test year revenue for TLP is \$33,466.

Issue 6: What is the appropriate amount of operating expense?

Recommendation: The appropriate amount of operating expense for TLP is \$33,841.

Issue 7: What is the appropriate revenue requirement?

Recommendation: The appropriate revenue requirement is \$39,219.

ITEM NO.

CASE

8**PAA

Docket No. 120183-WU – Application for staff-assisted rate case in Lake County by TLP Water, Inc.

(Continued from previous page)

Issue 8: Should the Utility’s current rate structure be changed, and if so, what is the appropriate rate structure for the Utility’s water system?

Recommendation: No. Staff recommends the continuation of TLP’s current rate structure of permanent and seasonal flat rates for unmetered residential and general service customers. The seasonal flat rate is applicable for customers that provide documentation showing that they were inactive for more than 60 days. Customers should be issued a credit of the difference between the permanent and seasonal flat rate for the months the customer was inactive for more than 60 days once documentation has been provided to the Utility. A base facility charge (BFC) and uniform gallonage charge rate structure should be approved for metered general service customers.

Issue 9: Should an adjustment to billing determinants be made to reflect repression of consumption?

Recommendation: No. An adjustment to billing determinants to reflect repression of consumption should not be made.

Issue 10: What are the appropriate rates for this Utility?

Recommendation: The appropriate monthly water rates are shown on Schedule No. 4 of staff’s memorandum dated February 21, 2013. The recommended rates should be designed to produce service revenues of \$39,034, which excludes miscellaneous revenues of \$185. The appropriate seasonal and permanent monthly rates for unmetered customers and BFC and gallonage charge for metered general service customers are shown on Schedule No. 4 of staff’s memorandum dated February 21, 2013. The Utility should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. In addition, the approved rates should not be implemented until staff has approved the proposed customer notice and the notice has been received by the customers. The Utility should provide proof of the date notice was given within 10 days of the date of the notice.

ITEM NO.

CASE

8**PAA

Docket No. 120183-WU – Application for staff-assisted rate case in Lake County by TLP Water, Inc.

(Continued from previous page)

Issue 11: What is the appropriate amount by which rates should be reduced in four years after the published effective date to reflect the removal of the amortized rate case expense as required by Section 367.0816 F.S.?

Recommendation: The water rates should be reduced as shown on Schedule No. 4 of staff's memorandum dated February 21, 2013, to remove rate case expense grossed up for regulatory assessment fees and amortized over a four-year period. The decrease in rates should become effective immediately following the expiration of the four-year rate case expense recovery period, pursuant to Section 367.0816, F.S. TLP should be required to file revised tariffs and a proposed customer notice setting forth the lower rates and the reason for the reduction no later than one month prior to the actual date of the required rate reduction. If the Utility files this reduction in conjunction with a price index or pass-through rate adjustment, separate data should be filed for the price index and/or pass-through increase or decrease and the reduction in the rates due to the amortized rate case expense.

Issue 12: What is the appropriate initial customer deposit for this Utility?

Recommendation: An initial customer deposit of \$130.00 should be approved. The Utility should file a revised tariff sheet and proposed notice consistent with the Commission's vote. The initial customer deposit should become effective for connections made on or after the stamped approval date of the revised tariff sheet after customers have been notified.

ITEM NO.

CASE

8**PAA

Docket No. 120183-WU – Application for staff-assisted rate case in Lake County by TLP Water, Inc.

(Continued from previous page)

Issue 13: Should the recommended rates be approved for the Utility on a temporary basis, subject to refund with interest, in the event of a protest filed by a party other than the Utility?

Recommendation: Yes. Pursuant to Section 367.0814(7), F.S., the recommended rates should be approved for the Utility on a temporary basis, subject to refund with interest, in the event of a protest filed by a party other than the Utility. TLP should file revised tariff sheets and a proposed customer notice to reflect the Commission-approved rates. The approved rates should be effective for service rendered on or after the stamped approval date on the tariff sheet, pursuant to Rule 25-30.475(1), F.A.C. In addition, the temporary rates should not be implemented until staff has approved the proposed notice, and the notice has been received by the customers. Prior to implementation of any temporary rates, the Utility should provide appropriate security. If the recommended rates are approved on a temporary basis, the rates collected by the Utility should be subject to the refund provisions discussed below in the staff analysis portion of staff's recommendation dated February 21, 2013. In addition, after the increased rates are in effect, pursuant to Rule 25-30.360(6), F.A.C., the Utility should file reports with the Commission's Office of Commission Clerk no later than the 20th of each month indicating the monthly and total amount of money subject to refund at the end of the preceding month. The report filed should also indicate the status of the security being used to guarantee repayment of any potential refund.

Issue 14: Should the Utility be required to provide proof, within 90 days of an effective order finalizing this docket, that it has adjusted its books for all applicable National Association of Regulatory Commissioners Uniform System of Accounts (NARUC USOA) primary accounts associated with the Commission-approved adjustments?

Recommendation: Yes. To ensure that the Utility adjusts its books in accordance with the Commission's decision, TLP should provide proof, within 90 days of the final order in this docket, that the adjustments for all applicable NARUC USOA primary accounts have been made, and that the Utility has taken steps to establish and maintain records using the accrual basis.

Issue 15: Should this docket be closed?

Recommendation: No. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, a consummating order will be issued. The docket should remain open for staff's verification that the revised tariff sheets, customer notice, and report concerning USDA funding and DEP permitting to replace the water distribution system have been filed by the Utility and approved by staff. Once these actions are complete, this docket should be closed administratively.

ITEM NO.

CASE

9**

Docket No. 130049-WS – Resolution of the Board of County Commissioners of Charlotte County declaring Charlotte County subject to the provisions of 367, F.S.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ENG: Rieger, Lewis

GCL: Crawford

Issue 1: Should the Commission acknowledge Resolution No. 2013-003 by the Board of County Commissioners of Charlotte County?

Recommendation: Yes. The Commission should acknowledge Resolution No. 2013-003 by the County Commissioners of Charlotte County, effective February 12, 2013. All non-exempt, privately-owned water and wastewater utilities in Charlotte County should be directed to comply with the provisions of Chapter 367, F.S.

Issue 2: Should this docket be closed?

Recommendation: Yes. Since there are no pending issues in this docket, the docket should be closed upon the issuance of a final order.

ITEM NO.

CASE

10**

Docket No. 130019-EI – Petition for approval of revised lighting tariffs by Tampa Electric Company.

Critical Date(s): 03/12/13 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Garl, Rome, Draper

GCL: Lawson

ENG: Dawkins

Issue 1: Should the Commission approve TECO's proposed new tariff for LED fixtures, maintenance, and base energy charges?

Recommendation: Yes. The Commission should approve TECO's proposed new tariff for LED fixtures, maintenance, and base energy charges.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, the tariffs should become effective on March 5, 2013. If a protest is filed within 21 days of the issuance of the order, the tariffs should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order.

ITEM NO.

CASE

11**PAA

Docket No. 130037-EI – Petition for approval of special contract by Tampa Electric Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Garl, Rome, Draper

ENG: Ellis

GCL: M. Brown

Issue 1: Should the Commission approve the proposed special contract?

Recommendation: Yes, the Commission should approve the proposed special contract.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no protest is filed by a person whose substantial interests are affected within 21 days of the issuance of the Order, this docket be closed upon the issuance of a Consummating Order.

ITEM NO.

CASE

12**

Docket No. 130039-GU – Request for approval of new Tariff Sheets 22A and 22B to add provisions for "Limits of Company Responsibilities", "Limitation of Damages", and "Access to Premises", by Florida City Gas.

Critical Date(s): 04/01/13 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Garl, Draper

ENG: Moses

GCL: Klancke

Issue 1: Should the Commission approve the Florida City Gas proposed tariff additions?

Recommendation: Yes, the Commission should approve the proposed tariff additions.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, the tariff sheets should become effective as of the Commission vote. If a protest is filed within 21 days of the issuance of the order, the tariffs should remain in effect pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order.