

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

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

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

DATE ISSUED: July 19, 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*.

Table of Contents
 Commission Conference Agenda
 July 30, 2013

1**	Consent Agenda	2
2**	Docket No. 130168-EU – Proposed Repeal of Rule 25-17.006, F.A.C., Electric Utility System Conservation End Use Data.....	3
3**PAA	Docket No. 130166-GU – Joint petition for approval of territorial agreement in Orange County by Peoples Gas System and The Lake Apopka Natural Gas District.....	4
4**PAA	Docket No. 130091-EI – Petition of Progress Energy Florida, Inc. to approve establishment of a regulatory asset and associated three-year amortization schedule for costs associated with PEF's previously approved thermal discharge compliance project.	5
5**PAA	Docket No. 130092-EI – Petition of Gulf Power Company to include the Plant Daniel Bromine and ACI Project, the Plant Crist Transmission Upgrades Project, and the Plant Smith Transmission Upgrades Project in the Company's program, and approve the costs associated with these compliance strategies for recovery through the ECRC.....	6
6**PAA	Docket No. 130079-GU – Petition for approval of special contract with the Florida Department of Corrections, by Sebring Gas System, Inc.....	8
7**PAA	Docket No. 130130-GU – Petition for approval of special contract with the Florida Department of Corrections - DeSoto Correctional Institution, by Sebring Gas System, Inc.	9
8**PAA	Docket No. 120313-GU – Petition for approval of transportation service agreement with Florida Public Utilities Company, by Peninsula Pipeline Company, Inc.....	10

ITEM NO.

CASE

1**

Consent Agenda

PAA

A) Application for certificate to provide local telecommunications service by Signal Point Communications Corp. d/b/a Signal Point Corp. and request for approval of name change, transfer of assets and Certificate of Necessity No. 8520 from RNK, Inc. d/b/a RNK Communications, Inc. to Signal Point Communications Corp. d/b/a Signal Point Corp.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
120295-TX	RNK Inc. d/b/a RNK Communications Inc. to Signal Point Communications Corp. d/b/a Signal Point Corp.

PAA

B) Application for Certificate of Authority to Provide Telecommunications Service.

<u>DOCKET</u>	<u>COMPANY NAME</u>	<u>CERT.NO.</u>
130146-TC	WiMacTel, Inc.	8843

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

ITEM NO.

CASE

2**

Docket No. 130168-EU – Proposed Repeal of Rule 25-17.006, F.A.C., Electric Utility System Conservation End Use Data.

Rule Status: Proposed

Commissioners Assigned: All Commissioners

Prehearing Officer: Brown

Staff: GCL: Cowdery
ECO: Brown, Rome

Issue 1: Should the Commission propose the repeal of Rule 25-17.006, F.A.C., Electric Utility System Conservation End Use Data?

Recommendation: Yes, the Commission should propose the repeal of Rule 25-17.006, F.A.C., as set forth in Attachment A of staff's memorandum dated July 18, 2013.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no requests for hearing or comments are filed, the rule should be filed with the Department of State, and the docket should be closed.

ITEM NO.

CASE

3**PAA

Docket No. 130166-GU – Joint petition for approval of territorial agreement in Orange County by Peoples Gas System and The Lake Apopka Natural Gas District.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brown

Staff: GCL: M. Brown

ECO: King

Issue 1: Should the Commission approve the joint petition for approval of the territorial agreement in Orange County between Peoples and Lake Apopka?

Recommendation: Yes. The territorial agreement between Peoples and Lake Apopka will not cause a detriment to the public interest and should be approved.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no person whose interests are substantially affected timely files a protest to the Commission's Proposed Agency Action Order, this docket should be closed upon issuance of a Consummating Order.

ITEM NO.

CASE

4**PAA

Docket No. 130091-EI – Petition of Progress Energy Florida, Inc. to approve establishment of a regulatory asset and associated three-year amortization schedule for costs associated with PEF's previously approved thermal discharge compliance project.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: AFD: Lester, Mouring, Prestwood

ECO: Wu

ENG: Graves

GCL: Murphy

IDM: Laux

Issue 1: Should the Commission approve DEF's request for the establishment of a regulatory asset and associated three year amortization schedule?

Recommendation: Yes. These costs are associated with the Commission-approved thermal discharge compliance project that is no longer necessary. The establishment of a regulatory asset is appropriate for these costs. In addition, a three year amortization schedule for the regulatory asset is appropriate.

Issue 2: Should this docket be closed?

Recommendation: 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, this docket should be closed upon the issuance of a consummating order.

ITEM NO.

CASE

5**PAA

Docket No. 130092-EI – Petition of Gulf Power Company to include the Plant Daniel Bromine and ACI Project, the Plant Crist Transmission Upgrades Project, and the Plant Smith Transmission Upgrades Project in the Company's program, and approve the costs associated with these compliance strategies for recovery through the ECRC.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: ENG: Graves

AFD: Mouring, Prestwood

ECO: Wu

GCL: Murphy

Issue 1: Should the Commission approve Gulf's Petition to include the proposed Plant Crist Transmission Upgrades in its Environmental Compliance Program and recover the associated cost through the Environmental Cost Recovery Clause?

Recommendation: No. The proposed Plant Crist transmission upgrades are not needed for Gulf to comply, or remain in compliance, with the Mercury and Air Toxics Standards (MATS) rule. Therefore the Environmental Cost Recovery Clause (ECRC) is not the appropriate mechanism to recover such costs. Gulf may request recovery through more conventional means, such as a rate case. Staff notes that in its petition in Docket No. 130140-EI, filed on July 12, 2013, Gulf stated "if the Commission finds that these transmission costs should be included in base rates, Gulf is requesting a step increase of \$16,392,000 effective July 1, 2015."

Issue 2: Should the Commission approve Gulf's Petition for including the proposed Plant Smith Transmission Upgrades in its Environmental Compliance Program and recovering the associated cost through the Environmental Cost Recovery Clause?

Recommendation: No. The proposed Plant Smith transmission upgrades are not needed for Gulf to comply, or remain in compliance, with the MATS rule. Therefore, the ECRC is not the appropriate mechanism to recover such costs. Gulf may request recovery through more conventional means, such as a rate case. Staff notes that in its Petition in Docket No. 130140-EI, filed on July 12, 2013, Gulf stated "if the Commission finds that these transmission costs should be included in base rates, Gulf is requesting a step increase of \$16,392,000 effective July 1, 2015."

ITEM NO.

CASE

5**PAA

Docket No. 130092-EI – Petition of Gulf Power Company to include the Plant Daniel Bromine and ACI Project, the Plant Crist Transmission Upgrades Project, and the Plant Smith Transmission Upgrades Project in the Company's program, and approve the costs associated with these compliance strategies for recovery through the ECRC.

(Continued from previous page)

Issue 3: Should the Commission approve Gulf's Petition to include Plant Daniel Bromine and Activated Carbon Injection Project in its Environmental Compliance Program and recover the associated cost through the Environmental Cost Recovery Clause?

Recommendation: Yes. Based on Gulf's filing and responses to data requests, staff recommends that the proposed Bromine and ACI project will be needed for Gulf to comply with environmental regulations. Staff recommends that the prudently incurred costs associated with the Bromine and ACI project are eligible for cost recovery through the ECRC.

Issue 4: Should this docket be closed?

Recommendation: 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, this docket should be closed upon the issuance of a consummating order.

ITEM NO.

CASE

6**PAA

Docket No. 130079-GU – Petition for approval of special contract with the Florida Department of Corrections, by Sebring Gas System, Inc.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: King, Ollila, Draper

AFD: Maurey

GCL: Brownless

Issue 1: Should the Commission approve the contract between Sebring and the DOC?

Recommendation: Yes, the Commission should approve the contract between Sebring and the DOC.

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 should be closed upon the issuance of a Consummating Order.

ITEM NO.

CASE

7**PAA

Docket No. 130130-GU – Petition for approval of special contract with the Florida Department of Corrections - DeSoto Correctional Institution, by Sebring Gas System, Inc.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: King, Ollila, Draper

AFD: Maurey

GCL: Brownless

Issue 1: Should the Commission approve the contract between Sebring and the DOC?

Recommendation: Yes, the Commission should approve the contract between Sebring and the DOC.

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 should be closed upon the issuance of a Consummating Order.

ITEM NO.

CASE

8**PAA

Docket No. 120313-GU – Petition for approval of transportation service agreement with Florida Public Utilities Company, by Peninsula Pipeline Company, Inc.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: King, Draper

GCL: Young

Issue 1: Should the Commission approve the amended Agreement between Peninsula and FPUC as filed on February 7, 2013?

Recommendation: Yes, the Commission should approve the amended Agreement between Peninsula and FPUC as filed on February 7, 2013, contingent upon FERC approval of FGT's request to transfer gas to Peninsula's system. The Agreement should become effective after Peninsula notifies staff, in writing, that FGT has received FERC approval.

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 should be closed upon the issuance of a Consummating Order.