

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Thursday, October 24, 2013, 9:30 a.m.

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

DATE ISSUED: October 14, 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.

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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, Gerald L. Gunter Building, Room 152.

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ITEM NO.

CASE

1**

Consent Agenda

PAA

A) Application for Certificate to Provide Local Telecommunications Service.

<u>DOCKET</u>	<u>COMPANY NAME</u>	<u>CERT.NO.</u>
130186-TX	Citrix Communications LLC	8851

PAA

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

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
130220-TX	Onvoy, Inc. d/b/a Onvoy Voice Services

C) Docket No. 130234-EI – Tampa Electric Company (“Company”) seeks the authority to issue, sell and/or exchange equity securities and issue, sell, exchange and/or assume long-term or short-term debt securities and/or to assume liabilities or obligations as guarantor, endorser, or surety during calendar year 2014. The Company also seeks authority to enter into interest rate swaps or other derivative instruments related to debt securities during calendar year 2014.

The amount of all equity and long-term debt securities issued, sold, exchanged or assumed and liabilities and obligations assumed or guaranteed as guarantor, endorser, or surety will not exceed in the aggregate \$1.5 billion during calendar year 2014, including any amounts issued to retire existing long-term debt securities. The maximum amount of short-term debt outstanding at any one time will be \$1.0 billion during calendar year 2014. This application is for both Tampa Electric Company and its local gas distribution division, Peoples Gas System.

In connection with this application, the Company confirms that the capital raised pursuant to this application will be used in connection with the activities of the Company’s regulated electric and gas divisions and not the unregulated activities of the utilities or their affiliates.

ITEM NO.

CASE

Consent Agenda

1**

(Continued from previous page)

D) Docket No. 130237-EI – Florida Power & Light Company (“FPL” or “Company”) seeks authority to issue and sell and/or exchange any combination of long-term debt and equity securities and/or to assume liabilities or obligations as guarantor, endorser, or surety in an aggregate amount not to exceed \$6.1 billion during calendar year 2014. In addition, FPL seeks permission to issue and sell short-term securities during calendar years 2014 and 2015 in an amount or amounts such that the aggregate principal amount of short-term securities outstanding at the time of and including any such sale shall not exceed \$4.0 billion.

In connection with this application, FPL confirms that the capital raised pursuant to the application will be used in connection with the activities of FPL and FPL's regulated subsidiaries and not the unregulated activities of FPL or its unregulated subsidiary or affiliates.

Recommendation: The Commission should approve the action requested in the dockets referenced above and close these dockets. For monitoring purposes, Docket Nos. 130234-EI and 130237-EI should remain open until April 30, 2015, to allow the Companies time to file the required Consummation Reports.

ITEM NO.

CASE

2**PAA

Docket No. 130224-EU – Petition for variance from or waiver of Rule 25-6.049(5) and (6), F.A.C., by PRH-2600 Hallandale Beach, LLC.

Critical Date(s): 11/19/13 - 90-day rule waiver deadline

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: GCL: Page

ECO: Rome

Issue 1: Should the Commission grant PRH’s request for waiver of the requirements of Rule 25-6.049(5) and (6), F.A.C., for Beachwalk Condominium?

Recommendation: Yes. Staff recommends that the requested waiver of Rule 25-6.049(5) and (6), F.A.C., be granted, provided that: 1) Beachwalk Condominium allocates the cost of electricity to the individual condominium unit owners using a reasonable apportionment method, consistent with Rule 25-6.049(9)(a), F.A.C.; and 2) the waiver is effective for only so long as the condominium is operated and licensed as a transient occupancy facility. At such time the condominium is no longer so operated and licensed, Beachwalk Condominium must inform Florida Power & Light Company (FPL) within 10 days and request FPL to install individual meters on all the occupancy units. In the event such a conversion is required, Beachwalk Condominium will be solely responsible for the cost of such conversion, consistent with Rule 25-6.049(7), F.A.C.

Issue 2: Should this docket be closed?

Recommendation: Yes, 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 issuance of a consummating order.

ITEM NO.

CASE

3**PAA

Docket No. 130218-TX – Bankruptcy cancellation by Florida Public Service Commission of CLEC Certificate No. 7229 issued to Ciera Network, Systems Inc., effective November 9, 2010.

Docket No. 130219-TX – Bankruptcy cancellation by Florida Public Service Commission of CLEC Certificate No. 7674 issued to Southern Telecom Network, Inc., effective June 29, 2011.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: TEL: Beard, Earnhart

GCL: Hopkins

Issue 1: Should the Commission cancel Ciera Network, Systems Inc. and Southern Telecom Network, Inc.'s, competitive local exchange telecommunications company (CLEC) certificates, service schedules, and remove each company's name from the Master Commission Directory (MCD) on its own motion effective the date each company's Chapter 7 Bankruptcy case terminated; direct the Division of Administrative and Information Technology Services (AIT) to write off any statutory late payment charges, or penalty and interest instead of requesting collection services; and require the companies to immediately cease and desist providing telecommunications services in Florida?

Recommendation: Yes, each entity's CLEC certificate and service schedule should be cancelled and each company's name should be removed from the MCD on the Commission's own motion due to bankruptcy as listed on Attachment A of staff's memorandum dated October 11, 2013. Also, AIT should write off any unpaid statutory late payment charges, or penalty and interest instead of requesting collection service. The companies should immediately cease and desist providing telecommunications services in Florida.

Issue 2: Should these dockets be closed?

Recommendation: Yes, these dockets should be closed if no protest is filed upon issuance of a Consummating Order.

ITEM NO.

CASE

4**PAA

Docket No. 130232-TX – Request for relinquishment of eligible telecommunications carrier (ETC) designation in Florida, by Unity Telecom, LLC f/k/a dPi Teleconnect, LLC.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: TEL: Polk, Casey

GCL: Tan

Issue 1: Should the Commission grant Unity Telecom, LLC's request for relinquishment of its ETC designation in AT&T and Verizon's non-rural service areas in Florida without prejudice?

Recommendation: Yes, the Commission should grant Unity Telecom, LLC's request for relinquishment of its ETC designation in AT&T and Verizon's non-rural service areas in Florida without prejudice.

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. 130239-TP – Request for approval of interconnection, unbundling, resale and collocation agreement between BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast and Local Access, LLC.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: TEL: Bates

GCL: Hopkins, Murphy

Issue 1: Should the Commission approve AT&T's September 30, 2013, unopposed Motion for Expedited Approval of the interconnection agreement between AT&T and Local Access?

Recommendation: Yes. The Commission should approve AT&T's unopposed Motion for Expedited Approval of the interconnection agreement between AT&T and Local Access.

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

6**PAA

Docket No. 130185-PU – Petition for approval of recognition of a regulatory liability and associated amortization schedule by Florida Public Utilities Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: AFD: Cicchetti

GCL: Brownless

Issue 1: Should the Commission approve Florida Public Utilities Company’s proposal to record separate regulatory liabilities for its Electric and Natural Gas Divisions for the one-time gain associated with the change made to the Company’s Post Retirement Health and Life benefits plans and amortize the liability over a 34-month period to be reflected in Account 407.3, Regulatory Debits?

Recommendation: Yes. The one-time gain should be recorded as a regulatory liability in Account 254, Other Regulatory Liabilities and amortized as a credit in Account 407.3, Regulatory Debits over a 34-month period beginning January 1, 2012 and ending October 31, 2014. The amounts should be \$258,659 for the electric division and \$463,803 for the natural gas division for a total of \$722,462. Further, the Commission should find that the approval to record regulatory liabilities for accounting purposes does not limit the Commission’s ability to review the amounts for reasonableness in future rate proceedings.

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 issuance of a consummating order.

ITEM NO.

CASE

7**PAA

Docket No. 130233-EI – Petition for approval of stipulation and settlement agreement reducing amount of approved regulatory asset between Florida Public Utilities Company and the Office of Public Counsel.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: AFD: Lester, Mouring, Prestwood

GCL: Young

Issue 1: Should the Commission approve the proposed Stipulation and Settlement Agreement?

Recommendation: Yes. The proposed Stipulation and Settlement Agreement is in the public interest and should be approved.

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

8**PAA

Docket No. 130010-WS – Application for increase in water rates in Lee County and wastewater rates in Pasco County by Ni Florida, LLC.

Critical Date(s): PAA five month deadline: November 4, 2013

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: ENG: Rieger, L'Amoreaux

AFD: Fletcher

ECO: Bruce, Hudson

GCL: Brownless, Crawford

(Proposed Agency Action except for Issues 19 and 20.)

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

Recommendation: The overall quality of water and wastewater services provided by Ni Florida should be considered satisfactory.

Issue 2: Should the audit adjustments to rate base and operating expenses agreed to by the Utility be made?

Recommendation: Yes. Based on audit adjustments agreed to by the Utility, staff recommends that: (1) plant be increased by \$88 for water and decreased by \$442 for wastewater; (2) accumulated depreciation be reduced by \$185 for water and \$9,467 for wastewater; (3) depreciation expense be increased by \$3,872 for water and decreased by \$1,224 for wastewater; (4) wastewater contribution in aid of construction (CIAC) be decreased by \$575; (5) wastewater accumulated amortization of CIAC be increased by \$11,479; (6) working capital be decreased by \$42,277 for water and increased by \$41,229 for wastewater; (7) wastewater revenues be increased by \$1,681; and (8) operation and maintenance (O&M) expenses be reduced by \$5,462 for water and \$14,905 for wastewater.

Issue 3: Should adjustments be made to the Utility's pro forma wastewater plant additions?

Recommendation: Yes. The Utility's pro forma wastewater plant additions should be decreased by \$189,584. Accordingly, wastewater accumulated depreciation and depreciation expense should be decreased by \$195,356 and \$12,174, respectively. In addition, property taxes should be increased by \$9,143. Further, consistent with Rule 25-30.433(9), F.A.C., the Utility should be allowed to recover an annual amortized loss of \$7,799 on the forced abandonment of lines on US Highway 19.

Issue 4: What are the used and useful (U&U) percentages for the Utility's water distribution system and wastewater collection system?

Recommendation: The Utility's water distribution system and wastewater collection system should both be considered 100 percent used and useful.

ITEM NO.

CASE

8**PAA

Docket No. 130010-WS – Application for increase in water rates in Lee County and wastewater rates in Pasco County by Ni Florida, LLC.

(Continued from previous page)

Issue 5: What is the appropriate working capital allowance?

Recommendation: The appropriate amount of working capital is zero for water and \$572,449 for wastewater.

Issue 6: What is the appropriate rate base for the test year ending September 30, 2012?

Recommendation: The appropriate 13-month average rate base for the test year ending September 30, 2012, is \$276,050 for water and \$3,366,898 for wastewater.

Issue 7: What is the appropriate return on equity?

Recommendation: Based on the Commission leverage formula currently in effect, the appropriate return on equity (ROE) is 9.42 percent with an allowed range of plus or minus 100 basis points.

Issue 8: What is the appropriate weighted average cost of capital including the proper components, amounts, and cost rates associated with the capital structure?

Recommendation: The appropriate weighted average cost of capital for the test year ending September 30, 2012, is 7.84 percent.

Issue 9: Should any further adjustments be made to test year revenues?

Recommendation: Yes. Test year service revenues should be increased by \$1,757 for water and \$180 for wastewater.

Issue 10: Should any further test year expense adjustments be made?

Recommendation: Yes. O&M expenses should be reduced by \$2,101, and plant should be increased by \$2,101. Corresponding adjustments should be made to increase both accumulated depreciation and depreciation expense by \$55. Further, property taxes should be increased by \$33.

Issue 11: Should any further adjustments be made to the Utility's allocated parent overhead?

Recommendation: Yes. The Utility should be entitled to allocated parent overhead of \$43,049 for water and \$181,745 for wastewater. As a result, Ni Florida's allocated overhead for water and wastewater should be further reduced by \$19,464 and \$74,280, respectively.

Issue 12: What is the appropriate amount of current rate case expense?

Recommendation: The appropriate amount of rate case expense for the instant case is \$149,321. This expense should be recovered over four years for an annual expense of \$7,839 for water and \$29,491 for wastewater. Thus, Ni Florida's requested annual rate case expense should be reduced by \$3,735 for water and increased by \$2,485 for wastewater. This recommendation reflects a reduction of \$14,234 for water and \$12,478 for wastewater to remove duplicative costs from prior cases that are already included in test year expenses.

ITEM NO.

CASE

8**PAA

Docket No. 130010-WS – Application for increase in water rates in Lee County and wastewater rates in Pasco County by Ni Florida, LLC.

(Continued from previous page)

Issue 13: Should any adjustment be made to bad debt expense?

Recommendation: Yes. The Utility should be entitled to bad debt expense of \$1,166 for water and \$73,591 for wastewater. Based on a three-year average, Ni Florida’s requested level of bad debt expense of \$5,222 for water should be reduced by \$4,056. Using an adjusted test year methodology, Ni Florida’s requested level of bad debt expense of \$36,412 for wastewater should be increased by \$37,180. Further, based on staff’s recommended bad debt expense, wastewater operating revenues should be increased by \$27,249.

Issue 14: Should the Commission approve any pro forma expense items for the Utility?

Recommendation: Yes. Pro forma expenses of \$5,615 for water and \$17,011 for wastewater should be approved. This represents reductions to O&M expense of \$4,893 for water and \$120,181 for wastewater.

Issue 15: What is the appropriate revenue requirement?

Recommendation: The following revenue requirement should be approved.

Table 15-1
 Revenue Requirement

	<u>Test Year Revenue</u>	<u>\$ Increase</u>	<u>Revenue Requirement</u>	<u>% Increase</u>
Water	\$248,095	(\$2,593)	\$245,502	(1.05%)
Wastewater	\$1,772,461	\$148,311	\$1,920,772	8.37%

ITEM NO.

CASE

8**PAA

Docket No. 130010-WS – Application for increase in water rates in Lee County and wastewater rates in Pasco County by Ni Florida, LLC.

(Continued from previous page)

Issue 16: What are the appropriate rate structures and rates for the Utility’s water and wastewater systems?

Recommendation: The appropriate rate structure for the water system’s residential customers is a continuation of the base facility charge (BFC) and three tier inclining block rate structure. The usage blocks should be: (1) 0-3,000 gallons; (2) 3,000-6,000 gallons; and (3) usage in excess of 6,000 gallons with usage block rate factors of 1.00, 1.20, and 1.50, respectively. The appropriate rate structure for the water system’s general service customers is a continuation of the BFC and uniform gallonage charge. The appropriate rate structure for the RV park is a continuation of a BFC based on the settlement number of ERCs in the RV park and the general service gallonage charge. The appropriate rate structure for the wastewater system’s residential, general service, and bulk customer is a traditional BFC and gallonage charge. The residential wastewater gallonage cap should be reduced to 8,000 gallons per month. The general and bulk service gallonage charge should be 1.2 times greater than the residential gallonage charge.

The appropriate monthly water and wastewater rates are shown on Schedule Nos. 4-A and 4-B, respectively, of staff’s memorandum dated October 14, 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.

Issue 17: Should the Commission approve Ni Florida’s requested elder valve charge for its wastewater system?

Recommendation: No. Ni Florida’s requested elder valve miscellaneous service charge for its wastewater system should not be approved.

Issue 18: What is the appropriate initial customer deposit for Ni Florida’s wastewater?

Recommendation: Staff recommends that the appropriate initial customer deposit for residential wastewater be set at \$72 for 5/8” x 3/4” meters. General services should be set at two times the average estimated monthly bill. The approved initial customer deposits should be effective for services rendered on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475, F.A.C. Ni Florida should be required to collect the approved initial customer deposit until authorized to change them by the Commission in a subsequent proceeding.

ITEM NO.

CASE

8**PAA

Docket No. 130010-WS – Application for increase in water rates in Lee County and wastewater rates in Pasco County by Ni Florida, LLC.

(Continued from previous page)

Issue 19: 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 water and wastewater rates should be reduced as shown on Schedule Nos. 4-A and 4-B, of staff's memorandum dated October 14, 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. Ni Florida 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 20: 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 the applicable National Association of Regulatory Utility Commissioners (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, Ni Florida should provide proof, within 90 days of the final order in this docket, that the adjustments for all the applicable NARUC USOA primary accounts have been made.

Issue 21: Should this docket be closed?

Recommendation: No. If no timely protest is received from a substantially affected person upon expiration of the protest period, the PAA Order should become final upon issuance of a Consummating Order. However, this docket should remain open for staff's verification that the tariff sheets and customer notice have been filed by the Utility and approved by staff, verification that the Utility has provided proof that the adjustments for all the NARUC USOA primary accounts have been made and approved by Commission staff. Once these actions are complete, this docket should be closed administratively.

ITEM NO.

CASE

9**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: Edgar

Staff: ENG: Graves

AFD: Mouring, Prestwood

ECO: Wu

GCL: Murphy

Issue 1: 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 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

10**PAA

Docket No. 130198-EI – Petition for prudence determination regarding new pipeline system by Florida Power & Light Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: ENG: Matthews, Ellis

AFD: Lester, Mouring, Prestwood

ECO: Higgins, Ollila, Stallcup, Wu

GCL: Tan, Corbari

Issue 1: Does FPL have a need for additional firm natural gas transportation by 2017?

Recommendation: Yes. FPL has demonstrated a need for 400 MMcf/day of additional firm natural gas transmission capacity by 2017.

Issue 2: Are the Sabal Trail Transmission (Sabal Trail) and Florida Southeast Connection (FSC) combined projects the most cost-effective solution to meet FPL’s need for additional natural gas transportation?

Recommendation: Yes. FPL’s selection of the Sabal Trail and FSC natural gas transportation contracts was based on a fair and open RFP process. The combined projects are projected to save up to \$450 million, net present value, over the term of the contracts when compared to the next most cost-effective proposal. Staff recommends that FPL be eligible to seek recovery of costs associated with these firm natural gas transportation contracts through the fuel clause.

Issue 3: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff’s recommendation on Issues 1 and 2, there are no remaining issues and staff recommends that the docket be closed. The resulting decision will be issued as a Proposed Agency Action. The decision will become final upon issuance of a Consummating Order, if no person whose substantial interests are affected timely files a protest within 21 days of the issuance of the Order.

ITEM NO.

CASE

11**

Docket No. 110320-GU – Petition for approval of Cast Iron/Bare Steel Pipe Replacement Rider (Rider CI/BSR), by Peoples Gas System.

Critical Date(s): 8-Month Effective Date: 5/5/14

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Garl

GCL: Lawson

Issue 1: Should the Commission approve Peoples' proposed CI/BSR Rider surcharges for 2014?

Recommendation: Yes. Peoples' calculation of the CI/BSR Rider surcharge for each rate class is reasonable and accurate.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, the tariffs should become effective on January 1, 2014. 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

12**

Docket No. 120036-GU – Joint petition for approval of Gas Reliability Infrastructure Program (GRIP) by Florida Public Utilities Company and the Florida Division of Chesapeake Utilities Corporation.

Critical Date(s): 60-Day Suspension Date: 10/30/13

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Garl

GCL: Lawson

Issue 1: Should the Commission approve FPUC's and Chesapeake's proposed GRIP surcharge factors for 2014?

Recommendation: Yes. FPUC's and Chesapeake's calculations of the GRIP surcharge factors are reasonable and accurate.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, the tariffs should become effective on January 1, 2014. 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.