

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, August 12, 2014, 9:30 a.m.

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

DATE ISSUED: July 31, 2014

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, Gerald L. Gunter Building, Room 152.

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**	Consent Agenda				
PAA	A) Application for certificate to provide local telecommunications service by Vodafone US Inc.				
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<u>DOCKET NO.</u>	<u>COMPANY NAME</u>				
140095-TX	Vodafone US Inc.				

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

ITEM NO.

CASE

2**

Docket No. 140141-TP – Proposed repeal of Rules 25-4.002, 25-24.505, 25-24.514, 25-24.555, and 25-24.560, F.A.C., and amendment of Rules 25-4.003 and 25-22.061, F.A.C.

Rule Status: Proposed

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: GCL: Cowdery

ECO: Rome

TEL: Bates, Casey, Salak

Issue 1: Should the Commission propose the repeal of Rules 25-4.002, Application and Scope; 25-24.505, Scope; 25-24.514, Cancellation of a Certificate; 25-24.555, Scope and Waiver; and 25-24.560, Terms and Definitions, and the amendment of Rules 25-4.003, Definitions, and 25-22.061, Stay Pending Judicial Review?

Recommendation: Yes, the Commission should propose the repeal of Rules 25-4.002, 25-24.505, 25-24.514, 25-24.555, and 25-24.560, F.A.C., and the amendment of Rules 25-4.003 and 25-22.061, F.A.C., as set forth in Attachment A.

Issue 2: Should this docket be closed?

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

ITEM NO.

CASE

3

Docket No. 140115-WS – Petition for declaratory statement by Continental Utility, Inc. that in providing service only to other entities owned by Continental Country Club R.O., Inc., Continental Utility, Inc. would be exempt from Public Service Commission jurisdiction.

Critical Date(s): Final Order must be issued by August 26, 2014, pursuant to Section 120.656(3), Florida Statutes.

Commissioners Assigned: All Commissioners

Prehearing Officer: Brown

Staff: GCL: Page

ENG: Vickery

(Decision on Declaratory Statement - Participation is at the Discretion of the Commission.)

Issue 1: Should the Commission issue a declaratory statement in response to Continental Utility, Inc.'s Petition stating that in providing service only to other entities owned by Continental Country Club, R.O., Inc., Continental would be exempt from Commission jurisdiction under Section 366.022(7), F.S.?

Recommendation: No. The Commission should issue a declaratory statement that based on the facts set forth in its Petition for Declaratory Statement, Continental would not be exempt from Commission jurisdiction under Section 366.022(7), F.S., because it is a for-profit corporation.

Issue 2: Should this docket be closed?

Recommendation: Yes, the docket should be closed.

ITEM NO.

CASE

4**PAA

Docket No. 140123-EU – Joint petition for approval of territorial agreement in Franklin and Liberty Counties by Talquin Electric Cooperative, Inc. and Duke Energy Florida, Inc.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brown

Staff: GCL: M. Brown

ECO: Ollila

Issue 1: Should the Commission approve Talquin and DEF's Proposed Agreement?

Recommendation: Yes, the Commission should approve the Proposed Agreement.

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. 140130-EU – Joint petition for approval of amendment to territorial agreement between Florida Power & Light Company and JEA.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brown

Staff: GCL: M. Brown

ECO: Ollila

Issue 1: Should the Commission approve the 2014 Amendment?

Recommendation: Yes, the Commission should approve the 2014 Amendment.

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**

Docket No. 120052-TP – Florida Link-Up and Lifeline Program Modernization.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: TEL: Casey

GCL: Teitzman

Issue 1: Should this docket be closed?

Recommendation: Yes. Staff recommends this docket should be closed.

ITEM NO.

CASE

7**PAA

Docket No. 140119-TP – 2015 State certification §54.313 and §54.314, annual reporting requirements for high-cost recipients, and certification of support for eligible telecommunications carriers.

Critical Date(s): October 1, 2014 filing deadline with the Federal Communications Commission and Universal Service Administrative Company.

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: TEL: Fogleman, C. Williams, Hawkins, Long, Casey
GCL: Teitzman

(Proposed Agency Action - Except Issue No. 1.)

Issue 1: Should the FPSC certify to the FCC and to the USAC, by letter from the Chairman, that BellSouth Telecommunications, LLC d/b/a AT&T Florida; Embarq Florida, Inc. d/b/a CenturyLink; Frontier Communications of the South, LLC; GTC, Inc. d/b/a FairPoint Communications; Knology of Florida, Inc. d/b/a WOW! Internet, Cable, and Phone; Verizon Florida LLC; and Windstream Florida, Inc. are eligible to receive federal high-cost support, and have used the federal high-cost support in the preceding calendar year, and will use the federal high-cost support they receive in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended?

Recommendation: Yes. Staff recommends that the FPSC should certify to the FCC and to the USAC, by letter from the Chairman, that BellSouth Telecommunications, LLC d/b/a AT&T Florida; Embarq Florida, Inc. d/b/a CenturyLink; Frontier Communications of the South, LLC; GTC, Inc. d/b/a FairPoint Communications; Knology of Florida, Inc. d/b/a WOW! Internet, Cable, and Phone; Verizon Florida LLC; and Windstream Florida, Inc. are eligible to receive federal high-cost support, and have used the federal high-cost support in the preceding calendar year, and will use the federal high-cost support they receive in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

ITEM NO.

CASE

7**PAA

Docket No. 140119-TP – 2015 State certification §54.313 and §54.314, annual reporting requirements for high-cost recipients, and certification of support for eligible telecommunications carriers.

(Continued from previous page)

Issue 2: Should the FPSC certify to the FCC and to the USAC, by letter from the Chairman, that ITS Telecommunications Systems, Inc.; Northeast Florida Telephone Company d/b/a NEFCOM; Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone; and Smart City Telecommunications, LLC d/b/a Smart City Telecom are eligible to receive federal high-cost support, and have used the federal high-cost support in the preceding calendar year, and will use the federal high-cost support they receive in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended?

Recommendation: Yes. Staff recommends that the FPSC should certify to the FCC and to the USAC, by letter from the Chairman, that ITS Telecommunications Systems, Inc.; Northeast Florida Telephone Company d/b/a NEFCOM; Quincy Telephone Company d/b/a TDS Telecom/Quincy Telephone; and Smart City Telecommunications, LLC d/b/a Smart City Telecom are eligible to receive federal high-cost support, and have used the federal high-cost support in the preceding calendar year, and will use the federal high-cost support they receive in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

Issue 3: 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**

Docket No. 130269-WU – Joint application for authority to transfer the assets of Venture Associates Utilities Corp. and Certificate No. 488-W in Marion County, Florida to Ocala Palms Utilities, LLC.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Balbis

Staff: ENG: Hill

AFD: Frank, Springer

ECO: Thompson

GCL: Lawson

Issue 1: Should the transfer of Venture’s water system and Certificate No. 488-W to Ocala Palms be approved?

Recommendation: Yes. The transfer of Venture’s water system and Certificate No. 488-W is in the public interest and should be approved effective the date of the Commission vote. The resultant order should serve as Ocala Palms’ certificate and should be retained by Ocala Palms. Venture’s existing rates and charges should remain in effect until a change is authorized by the Commission in a subsequent proceeding. The tariff pages reflecting the transfer should be effective on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475(1), Florida Administrative Code (F.A.C.). Ocala Palms should be responsible for filing the 2014 Annual Report and paying 2014 Regulatory Assessment Fees (RAFs) and should be responsible for filing all future annual reports and RAFs.

Issue 2: What is the appropriate net book value for the water system for transfer purposes and should an acquisition adjustment be approved?

Recommendation: The net book value (NBV) of the water system for transfer purposes is \$528,760. This amount is based on an Original Cost Study which resulted in plant balances as of the closing date, September 6, 2013. No acquisition adjustment should be recorded. Within 30 days of the date of the final order, Ocala Palms should be required to provide general ledgers which show its books have been updated to reflect the Commission-approved balances as of September 6, 2013, along with a statement that the adjustments will be reflected in the 2014 Annual Report when filed.

Issue 3: Should this docket be closed?

Recommendation: Yes. If staff’s recommendations in Issues 1 and 2 are approved, no further action is required and the docket should be closed.

ITEM NO.

CASE

9**

Docket No. 140066-EI – Petition for approval of amendment to underground residential and commercial differential tariffs, by Florida Power & Light Company.

Critical Date(s): 12/01/14 (8-Month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Garl

GCL: M. Brown

Issue 1: Should the Commission approve FPL's proposed URD tariffs and associated charges?

Recommendation: Yes. The Commission should approve FPL's proposed URD charges and associated tariffs.

Issue 2: Should the Commission approve FPL's revised Underground Commercial Distribution (UCD) tariffs and their associated charges?

Recommendation: Yes. FPL's proposed UCD charges and associated tariffs, and their accompanying work papers are reasonable and should be approved.

Issue 3: Should this docket be closed?

Recommendation: If issues 1 and 2 are approved, the tariffs should become effective on August 12, 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

10**

Docket No. 140070-EI – Petition for approval of voluntary solar partnership pilot program and tariff, by Florida Power & Light Company.

Critical Date(s): 12/02/14 (8-Month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Brown

Staff: ECO: Garl

GCL: M. Brown

IDM: B. Crawford

Issue 1: Should the Commission approve the proposed VSP Pilot Program and tariff?

Recommendation: Yes. The Commission should approve FPL's VSP Pilot Program and associated tariff. The tariff should be effective May 1, 2015, with enrollments beginning in January 2015.

Issue 2: Should this docket be closed?

Recommendation: If Issue 1 is approved, and 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. As noted in Issue 1, the tariff will become effective on May 1, 2015.