

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, April 5, 2016, 9:30 a.m.

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

DATE ISSUED: March 24, 2016

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.

Conference agendas, staff recommendations, and vote sheets are available from the PSC website, <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 Clerk@psc.state.fl.us.

In accordance with the Americans 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, 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 website. Upon completion of the conference, the archived video will be available from the website by selecting *Conferences & Meeting Agendas*, then *Audio and Video Event Coverage*.

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April 5, 2016

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ITEM NO.

CASE

1**	Consent Agenda
PAA	A) Application for Certificate of Authority to Provide Telecommunications Service. <u>DOCKET NO.</u> <u>COMPANY NAME</u> 150180-TX BeCruising Telecom LLC d/b/a Becru
PAA	B) Application for Certificate of Authority to Provide Telecommunications Service. <u>DOCKET NO.</u> <u>COMPANY NAME</u> 160026-TX Sonic Systems, Inc. d/b/a Sonic Systems, Inc. of Maryland

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

ITEM NO.

CASE

2**

Docket No. 150148-EI – Petition for approval to include in base rates the revenue requirement for the CR3 regulatory asset, by Duke Energy Florida, Inc.

Docket No. 150171-EI – Petition for issuance of nuclear asset-recovery financing order, by Duke Energy Florida, Inc. d/b/a Duke Energy.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Brisé

Staff: AFD: Cicchetti

GCL: Gervasi

Issue 1: Should DEF’s Motion for Approval of Stipulation to Amend RRSSA as reflected in Exhibit 1 to the Stipulation (Second RRSSA Amendment) be approved?

Recommendation: Yes, DEF’s Motion for Approval of Stipulation to Amend RRSSA as reflected in Exhibit 1 to the Stipulation (Second RRSSA Amendment) is in the public interest and should be approved.

Issue 2: Should these dockets be closed?

Recommendation: No, these dockets should remain open through completion of the Commission’s review of the actual costs of the nuclear asset-recovery bond issuance, conducted pursuant to Section 366.95(2)(c)5., F.S., and the financing order.

ITEM NO.

CASE

3**PAA

Docket No. 150166-WU – Application for transfer of water system and Certificate No. 654-W in Lake County from Black Bear Reserve Water Corporation to Black Bear Waterworks, Inc.

Critical Date(s): 60-Day Suspension Date - Waived

Commissioners Assigned: All Commissioners

Prehearing Officer: Patronis

Staff: ENG: P. Buys

AFD: Galloway, Norris

ECO: Bruce, Hudson

GCL: Leathers, J. Crawford

(Proposed Agency Action for Issue 2, Tariff Filing for Issue 3.)

Issue 1: Should the transfer of Black Bear Reserve Water Corporation's water system and Certificate No. 654-W to Black Bear Waterworks, Inc. be approved?

Recommendation: Yes. The transfer of the water system and Certificate No. 654-W is in the public interest and should be approved effective the date of the Commission vote. The resultant order should serve as the Buyer's certificate and should be retained by the Buyer. The existing rates and charges should remain in effect until a change is authorized by the Commission in a subsequent proceeding. The tariffs reflecting the transfer should be effective for services rendered or connections made on or after the stamped approval date on the tariffs, pursuant to Rule 25-30.475, Florida Administrative Code (F.A.C.). The Seller should be responsible for all Regulatory Assessment Fees (RAFs) payable through the date of closing. The Buyer should be responsible for filing the 2015 Annual Report and all future Annual Reports, and RAFs subsequent to the date of closing.

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

Recommendation: The NBV of the water system for transfer purposes is \$285,371 as of June 30, 2015. An acquisition adjustment should not be included in rate base. To ensure that Black Bear adjusts its books in accordance with the Commission decision, it should notify the Commission, within 90 days of the final order in this docket, confirming that the adjustments to all the applicable National Association of Regulatory Utility Commissioners (NARUC), Uniform System of Accounts (USOA) accounts have been made to Black Bear's books and records. In the event Black Bear needs additional time to complete the adjustments, notice should be provided to staff within seven days prior to the deadline. Upon providing good cause, staff should be given administrative authority to grant an extension of up to 60 days. The adjustments should be reflected in Black Bear's 2015 Annual Report when filed.

ITEM NO.

CASE

3**PAA

Docket No. 150166-WU – Application for transfer of water system and Certificate No. 654-W in Lake County from Black Bear Reserve Water Corporation to Black Bear Waterworks, Inc.

(Continued from previous page)

Issue 3: Should the Commission approve Black Bear’s request to implement a convenience charge for customers who opt to pay their water bill by debit or credit card online or by telephone?

Recommendation: Yes. Black Bear’s request to implement a convenience charge of \$2.60 for customers who opt to pay their water bill by debit or credit card online or by way of telephone should be approved. The charge should be effective for services rendered on or after the stamped approval date on the tariff, pursuant to Rule 25-30.475, F.A.C. In addition, the approved charge should not be implemented until staff has approved the proposed customer notice and the notice has been received by the customers. Black Bear should provide proof of the date that the notice was given within 10 days of the date of the notice.

Issue 4: Should this docket be closed?

Recommendation: The docket should remain open pending staff’s verification that the revised tariff sheets and customer notice have been filed by Black Bear and approved by staff. If a protest is filed within 21 days of the issuance date of the Order, the tariff sheets should remain in effect with the charges held subject to refund pending resolution of the protest. If no timely protest is filed, a consummating order should be issued and, once staff verifies that the notice of the charge has been given to customers, the docket should be administratively closed.

ITEM NO.

CASE

4**PAA

Docket No. 160028-GU – Petition for approval of Amendment No. 1 to transportation service agreement with the City of Lake Worth, by Florida Public Utilities Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: ECO: Rome, Guffey

GCL: Barrera

Issue 1: Should the Commission approve the amendment to the agreement between FPUC and the City?

Recommendation: Yes. The Commission should approve the amendment to the agreement between FPUC and the City.

Issue 2: Should this docket be closed?

Recommendation: 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

5**PAA

Docket No. 160029-GU – Petition by Peoples Gas System for approval of special contract with United Parcel Service, Inc.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: ECO: Guffey

GCL: Mapp

Issue 1: Should the Commission approve the special contract between Peoples and UPS?

Recommendation: Yes. The Commission should approve the special contract between Peoples and UPS.

Issue 2: Should this docket be closed?

Recommendation: 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

6**

Docket No. 150102-SU – Application for increase in wastewater rates in Charlotte County by Utilities, Inc. of Sandalhaven.

Critical Date(s): 09/27/16 (8-Month Effective Date)

Commissioners Assigned: Edgar, Brisé, Patronis

Prehearing Officer: Edgar

Staff: ECO: Bruce, Hudson

GCL: Brownless

Issue 1: Should the Commission approve the Joint Motion Requesting Commission Approval of Settlement Agreement?

Recommendation: Yes. The Joint Motion and Settlement Agreement should be approved. The protested issues of the PAA Order should have no precedential effect or value and can be raised in any future rate case. Upon the issuance of the final order approving the Parties' Settlement Agreement, staff recommends the corporate undertaking amount for interim rates and the implementation of PAA rates be released. Upon approval of the Settlement Agreement by the Commission, the utility should file a proposed customer notice indicating that the Commission has approved a settlement agreement between the Parties and that the PAA rates are final, with the exception of AFPI charges. The utility should continue to collect the AFPI charges in effect when the Commission obtained jurisdiction from Charlotte County. The utility should provide proof of the date notice was given within 10 days of the date of the notice.

Issue 2: Should this docket be closed?

Recommendation: Yes. If the Commission approves staff's recommendation in Issue 1, this docket should be closed upon the issuance of the final order approving the Parties' Settlement Agreement.