

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Wednesday, August 29, 2018, 9:30 a.m.

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

DATE ISSUED: August 17, 2018

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 item number.

To participate informally, affected persons need only appear at the conference and request the opportunity to address the Commission on an item listed on the 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 Florida Administrative Code Rules 25-22.0021 (agenda conference participation) and 25-22.0022 (oral argument).

Conference agendas, staff recommendations, vote sheets, and transcripts are available online at <http://www.floridapsc.com>, by selecting *Conferences & Meeting Agendas* and *Commission Conferences of the FPSC*. An official vote of "move staff" denotes that the Item's recommendations were approved.

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 or 850-413-6770 (Florida Relay Service, 1-800-955-8770 Voice or 1-800-955-8771 TDD). Assistive Listening Devices are available upon request from 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 FPSC 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*.

EMERGENCY CANCELLATION OF CONFERENCE: If a named storm or other disaster requires cancellation of the Conference, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (<http://www.floridapsc.com>) under the Hot Topics link on the home page. Cancellation can also be confirmed by calling the Office of Commission Clerk at 850-413-6770.

If you have any questions, contact the Office of Commission Clerk at 850-413-6770 or Clerk@psc.state.fl.us.

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August 29, 2018

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ITEM NO.

CASE

1**

Consent Agenda

PAA

A) Applications for Certificate of Authority to Provide Telecommunications Service.

<u>DOCKET NO.</u>	<u>COMPANY NAME</u>
20180151-TX	Faster.IO, INC.
20180153-TX	Smart City Solutions II, LLC

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

ITEM NO.

CASE

2**

Docket No. 20170233-TP – Proposed amendment of Rule 25-4.0665, FAC, Lifeline Service, and Proposed Repeal of Rule 25-4.113, FAC, Refusal or Discontinuance of Service by Company.

Rule Status: Proposal May Be Deferred

Commissioners Assigned: All Commissioners

Prehearing Officer: Clark

Staff: GCL: Gervasi

ECO: Draper

IDM: Fogleman

Issue 1: Should the Commission propose the amendment of Rule 25-4.0665, F.A.C., Lifeline Service, and the repeal of Rule 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company?

Recommendation: Yes, the Commission should propose the amendment of Rule 25-4.0665, F.A.C., Lifeline Service, and the repeal of Rule 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, as set forth in Attachment A of staff's memorandum dated August 17, 2018. Staff recommends that the Commission certify proposed amended Rule 25-4.0665, F.A.C., as a minor violation rule.

Issue 2: Should this docket be closed?

Recommendation: Yes, if no requests for hearing or comments are filed, the rule amendment and repeal as proposed should be filed for adoption with the Secretary of State and the docket should be closed.

ITEM NO.

CASE

3**

Docket No. 20180143-EI – Petition to initiate rulemaking to revise and amend portions of Rule 25-6.0426, F.A.C., by Florida Power & Light Company, Gulf Power Company, and Tampa Electric Company.

Critical Date(s): 09/06/18 (30-day statutory deadline waived to this date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Fay

Staff: GCL: Gervasi

ECO: Draper, Merryday

AFD: Mouring, Smith

Issue 1: Should the Commission grant the Petition to Initiate Rulemaking to amend Rule 25-6.0426, F.A.C.?

Recommendation: Yes, the Commission should grant the Petition to Initiate Rulemaking to amend Rule 25-6.0426, F.A.C., in order to collect information and evaluate whether the Commission should propose to adopt the Petitioners' suggested rule amendments at a later date.

Issue 2: Should this docket be closed?

Recommendation: No. If the Commission approves staff's recommendation in Issue 1, this docket should remain open to proceed with the rulemaking process.

ITEM NO.

CASE

4**

Docket No. 20180122-TP – 2019 State certification under 47 C.F.R. §54.313 and §54.314, annual reporting requirements for high-cost recipients and certification of support for eligible telecommunications carriers.

Critical Date(s): 10/01/18 (Filing deadline with Federal Communications Commission and Universal Service Administrative Company)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: IDM: E. Wooten, Bates, Long

GCL: Murphy

Issue 1: Should the Commission certify to USAC and to the FCC that BellSouth Telecommunications, LLC d/b/a AT&T Florida d/b/a AT&T Southeast; Embarq Florida, Inc. d/b/a CenturyLink; Frontier Florida LLC; Frontier Communications of the South, LLC; GTC, Inc. d/b/a Consolidated Communications/GTC; ITS Telecommunications Systems, Inc.; Knology of Florida, Inc. d/b/a WOW! Internet, Cable and Phone; Northeast Florida Telephone Company d/b/a NEFCOM; Quincy Telephone Company d/b/a TDS Telecom; Smart City Telecommunications LLC d/b/a Smart City Telecom; and Windstream Florida, LLC are eligible to receive federal high-cost support, that they have used the federal high-cost support in the preceding calendar year, and they 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. The Commission should certify to USAC and to the FCC that BellSouth Telecommunications, LLC d/b/a AT&T Florida d/b/a AT&T Southeast; Embarq Florida, Inc. d/b/a CenturyLink; Frontier Florida LLC; Frontier Communications of the South, LLC; GTC, Inc. d/b/a Consolidated Communications/GTC; ITS Telecommunications Systems, Inc.; Knology of Florida, Inc. d/b/a WOW! Internet, Cable and Phone; Northeast Florida Telephone Company d/b/a NEFCOM; Quincy Telephone Company d/b/a TDS Telecom; Smart City Telecommunications LLC d/b/a Smart City Telecom; and Windstream Florida, LLC are eligible to receive federal high-cost support, that they have used the federal high-cost support in the preceding calendar year, and they 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 2: Should this docket be closed?

Recommendation: Yes. This docket should be closed upon issuance of a Final Order.

ITEM NO.

CASE

5**PAA

Docket No. 20180066-WU – Application for transfer of facilities of Kincaid Hills Water Company and Water Certificate No. 555-W to Gator Waterworks, Inc.

Docket No. 20170200-WU – Initiation of show cause proceedings against Kincaid Hills Water Company, in Alachua County, for noncompliance with Sections 350.113, 350.117, 367.121, and 367.145, Florida Statutes, and Rules 25-30.110, 25-30.120, 25-30.355, and 25-22.032, Florida Administrative Code.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Polmann

Staff: ENG: O. Wooten, Ellis

AFD: Andrews, Fletcher, Norris

ECO: Bethea

GCL: J. Crawford, Dziechciarz, DuVal

(Proposed Agency Action for Issue 2)

Issue 1: Should the transfer of Certificate No. 555-W in Alachua County from Kincaid Hills Water Company to Gator Waterworks, Inc. be approved?

Recommendation: Yes. The transfer of the water system and Certificate No. 555-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, F.A.C. Gator Waterworks should be responsible for filing the 2018 Annual Report, all future annual reports, and RAFs subsequent to the date of closing.

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

Recommendation: The net book value of the water system for transfer purposes is \$63,321 as of February 23, 2018. An acquisition adjustment should not be included in rate base. Within 90 days of the date of the final order, Gator Waterworks should be required to notify the Commission in writing that it has adjusted its books in accordance with the Commission's decision. The adjustments should be reflected in Gator Waterworks' 2018 Annual Report when filed.

ITEM NO.

CASE

5**PAA

Docket No. 20180066-WU – Application for transfer of facilities of Kincaid Hills Water Company and Water Certificate No. 555-W to Gator Waterworks, Inc.

Docket No. 20170200-WU – Initiation of show cause proceedings against Kincaid Hills Water Company, in Alachua County, for noncompliance with Sections 350.113, 350.117, 367.121, and 367.145, Florida Statutes, and Rules 25-30.110, 25-30.120, 25-30.355, and 25-22.032, Florida Administrative Code.

(Continued from previous page)

Issue 3: Should the show cause proceeding against Kincaid Hills Water Company be dismissed, and Docket No. 20170200-WU, be closed?

Recommendation: Yes. If the Commission approves Gator Waterworks, Inc.'s transfer application, then the show cause proceeding against Kincaid Hills Water Company should be dismissed and Docket No. 20170200-WU should be closed.

Issue 4: Should these dockets be closed?

Recommendation: If no protest to the proposed agency action is filed by a substantially affected person within 21 days of the date of the issuance of the order, a consummating order should be issued and these dockets should be closed administratively upon Commission staff's verification that the revised tariff sheets have been filed, the Buyer has notified the Commission in writing that it has adjusted its books in accordance with the Commission's decision, and proof that appropriate noticing has been done pursuant to Rule 25-30.4345, F.A.C.