

# FLORIDA PUBLIC SERVICE COMMISSION

## COMMISSION CONFERENCE AGENDA

**CONFERENCE DATE AND TIME:** Tuesday, April 2, 2019, 9:30 a.m.

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

**DATE ISSUED:** March 26, 2019\*

---

---

### 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](mailto:Clerk@psc.state.fl.us).

\*Revised to insert the late-filed Item 3.

Table of Contents  
 Commission Conference Agenda  
 April 2, 2019

1**	<b>Consent Agenda</b> .....	1
2**	<b>Docket No. 20190047-GU</b> – Proposed amendment of Rule 25-12.005, F.A.C., Codes and Standards Adopted. ....	2
3**PAA	<b>Docket No. 20180125-EU</b> – Complaint against Gulf Power Company for expedited enforcement of territorial order, by Gulf Coast Electric Cooperative, Inc. ....	3
4	<b>Docket No. 20190040-EQ</b> – Petition for declaratory statement regarding leasing of residential solar equipment, by IGS Solar, LLC. ....	4
5**PAA	<b>Docket No. 20180215-WS</b> – Petition for limited alternative rate increase in Highlands County by LP Waterworks, Inc. ....	5
6**PAA	<b>Docket No. 20180216-WU</b> – Petition for limited alternative rate increase in Lake County by Lake Idlewild Utility Company. ....	7
7**PAA	<b>Docket No. 20180217-WS</b> – Petition for limited alternative rate increase in Sumter County by Jumper Creek Utility Company. ....	9
8**PAA	<b>Docket No. 20180186-GU</b> – Petition for approval of demand side management goals and residential customer assisted and commercial walk-through energy audit programs, by Peoples Gas System. ....	11
9**PAA	<b>Docket No. 20150010-WS</b> – Application for staff-assisted rate case in Brevard County by Aquarina Utilities, Inc. ....	13
10**	<b>Docket No. 20180131-WS</b> – Application for amendment of water and wastewater Certificate Nos. 669-W and 571-S, to extend service area to include certain additional land in Lake and Sumter Counties, by South Sumter Utility Company, LLC. ....	14
11**PAA	<b>Docket No. 20180232-SU</b> – Request for cancellation of Certificate No. 453-S by Pine Island Cove Homeowners Association, Inc. ....	15
12**	<b>Docket No. 20190036-GU</b> – Petition for authority for approval of revised transportation imbalance tariffs, by Florida Public Utilities Company; Florida Public Utilities Company-Ft. Meade. ....	16
13**	<b>Docket No. 20190061-EI</b> – Petition for approval of FPL SolarTogether program and tariff, by Florida Power & Light Company. ....	17

**ITEM NO.**

**CASE**

1\*\*

**Consent Agenda**

PAA

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

DOCKET NO.

COMPANY NAME

20190037-TX

Myakka Communications, Inc.

20190046-TX

ExteNet Asset Entity, LLC

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

**ITEM NO.**

**CASE**

2\*\*

**Docket No. 20190047-GU** – Proposed amendment of Rule 25-12.005, F.A.C., Codes and Standards Adopted.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Brown

**Staff:** GCL: Harper

ENG: Moses

**(Proposal May Be Deferred)**

**Issue 1:** Should the Commission propose the amendment of Rule 25-12.005, F.A.C., Codes and Standards Adopted?

**Recommendation:** Yes, the Commission should propose the amendment of Rule 25-12.005, F.A.C., as set forth in Attachment A of staff's memorandum dated March 21, 2019. The Commission should certify that Rule 25-12.005, F.A.C., is not a rule that the violation of which would be a minor violation pursuant to Section 120.695, F.S.

**Issue 2:** Should this docket be closed?

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

**ITEM NO.**

**CASE**

---

3\*\*PAA

---

**Docket No. 20180125-EU** – Complaint against Gulf Power Company for expedited enforcement of territorial order, by Gulf Coast Electric Cooperative, Inc.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Brown

**Staff:** GCL: Schrader, J. Crawford, King

ECO: Merryday, Draper

ENG: Ballinger, Graves

Consideration and decision regarding the Settlement Agreement and First Amendment to the Territorial Agreement as requested in the Joint Motion to Approve Settlement Agreement and Amendment to Territorial Agreement, filed on March 20, 2019.

**ITEM NO.**

**CASE**

4

**Docket No. 20190040-EQ** – Petition for declaratory statement regarding leasing of residential solar equipment, by IGS Solar, LLC.

**Critical Date(s):** 5/9/19 (Final Order must be issued by this date pursuant to Section 120.565(3), Florida Statutes)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Brown

**Staff:** GCL: Harper

IDM: B. Crawford

**(Parties May Participate at the Commission's Discretion)**

**Issue 1:** Should the Commission grant IGS Solar's Petition for Declaratory Statement?

**Recommendation:** Yes. Based on the facts presented by IGS Solar, the Commission should grant IGS Solar's Petition and declare: (1) IGS Solar's proposed residential solar equipment lease, as described in its Petition, will not be deemed to constitute the sale of electricity; (2) IGS Solar will not be deemed a public utility under Florida law by virtue of leasing its residential solar equipment to residential consumer-lessees in Florida as described in its Petition; (3) Florida customer-lessees who enter into IGS Solar's proposed residential solar equipment lease, as described in its Petition, will not be subject to the jurisdiction of, or regulation by, the Commission; and (4) Customer-lessees will be allowed to become net metering customers if the customer-lessees meet the requirements of Rule 25-6.065, F.A.C. The Commission should also state that its declaration is limited to the facts described in IGS Solar's Petition and would not apply to different, alternative facts.

**Issue 2:** Should this docket be closed?

**Recommendation:** Yes, if the Commission votes to either grant or deny the Petition for Declaratory Statement, the docket should be closed.

**ITEM NO.**

**CASE**

5\*\*PAA

**Docket No. 20180215-WS** – Petition for limited alternative rate increase in Highlands County by LP Waterworks, Inc.

**Critical Date(s):** 4/22/19 - 90-day deadline pursuant to Rule 25-30.457(11), F.A.C.

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Polmann

**Staff:** AFD: Smith II, Buys  
ECO: Sibley, Hudson  
ENG: Doehling, Graves  
GCL: Dziechciarz, Weisenfeld

**(Proposed Agency Action Except Issue No. 3)**

**Issue 1:** Should the Commission approve LP Waterworks, Inc.'s application for a limited alternative rate increase?

**Recommendation:** Yes. The Commission should approve LP Waterworks' application for a limited alternative rate increase in the amount of 20 percent. This equates to an increase of \$23,061 for water and \$21,378 for wastewater.

Pursuant to Rule 25-30.457(12), F.A.C., the Utility is required to hold any revenue increase granted subject to refund with interest for a period of 15 months after the filing of its annual report for the year the adjustment in rates was implemented. If overearnings occur, such overearnings, up to the amount held subject to refund, with interest, must be disposed of for the benefit of the customers. After the increased rates are in effect, pursuant to Rule 25-30.360(6), F.A.C., the Utility must file reports with the Office of Commission Clerk no later than the 20th of every month indicating the monthly and total amount of money subject to refund at the end of the preceding month. The report filed must also indicate the status of the security being used to guarantee repayment of any potential refund.

**Issue 2:** What are the appropriate monthly service rates for LP Waterworks, Inc.?

**Recommendation:** The existing service rates for LP Waterworks should be increased by 20 percent in accordance with Rule 25-30.457, F.A.C. The recommended service rates are shown on Schedule No. 1 of staff's memorandum dated March 21, 2019. The Utility should file 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 sheets pursuant to Rule 25-30.475(1), F.A.C. In addition, the rates should not be implemented until staff has approved the proposed customer notice. The Utility should provide proof of the date notice was given no less than 10 days after the date of the notice.

**ITEM NO.**

**CASE**

5\*\*PAA

**Docket No. 20180215-WS** – Petition for limited alternative rate increase in Highlands County by LP Waterworks, Inc.

(Continued from previous page)

**Issue 3:** Should the recommended rates be approved for LP Waterworks on a temporary basis, subject to refund, in the event of a protest filed by a party other than the utility?

**Recommendation:** Yes. Pursuant to Rule 25-30.457(15), F.A.C., in the event of a protest of the Proposed Agency Action (PAA) Order by a substantially affected person other than the Utility, LP Waterworks should be authorized to implement the rates established in the LARI PAA Order on a temporary basis subject to refund upon the Utility filing a staff-assisted rate case application within 21 days of the date the protest is filed.

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 temporary rates should not be implemented until staff has approved the proposed notice, and the notice has been received by the customers. If the recommended rates are approved on a temporary basis, the incremental increase collected by the Utility will be subject to the refund provisions outlined in Rule 25-30.360, F.A.C. Pursuant to Rule 25-30.457(17), F.A.C., if the Utility fails to file a staff-assisted rate case application within 21 days in the event there is a protest, the application for a limited alternative rate increase will be deemed withdrawn.

**Issue 4:** Should this docket be closed?

**Recommendation:** No. In the event of a protest, LP Waterworks may implement the rates established in the PAA Order on a temporary basis, subject to refund with interest, upon the Utility's filing of a staff-assisted rate case application within 21 days of the date of the protest. If LP Waterworks fails to file a staff-assisted rate case within 21 days, the Utility's petition for a limited alternative rate increase will be deemed withdrawn pursuant to Rule 25-30.457(17), F.A.C. 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, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets, which reflect the Commission-approved rates, and customer notice have been filed by LP Waterworks and approved by staff, and so that staff may conduct an earnings review of the Utility pursuant to Rule 25-30.457(12), F.A.C. Upon staff's approval of the tariff and completion of the earnings review process as set forth in Rule 25-30.457(12)-(14), F.A.C., this docket should be closed administratively.



**ITEM NO.**

**CASE**

6\*\*PAA

**Docket No. 20180216-WU** – Petition for limited alternative rate increase in Lake County by Lake Idlewild Utility Company.

**Critical Date(s):** 4/22/19 - 90-day deadline pursuant to Rule 25-30.457(11), F.A.C.

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Polmann

**Staff:** AFD: Wilson, Brown  
ECO: Bruce, Hudson  
ENG: Doehling, Graves  
GCL: Murphy, Weisenfeld

**(Proposed Agency Action Except Issue No. 3)**

**Issue 1:** Should the Commission approve Lake Idlewild Utility Company's application for a limited alternative rate increase?

**Recommendation:** Yes. The Commission should approve Lake Idlewild's application for a limited alternative rate increase in the amount of 20 percent. This equates to an increase of \$8,023.

Pursuant to Rule 25-30.457(12), F.A.C., the Utility is required to hold any revenue increase granted subject to refund with interest for a period of 15 months after the filing of its annual report for the year the adjustment in rates was implemented. If overearnings occur, such overearnings, up to the amount held subject to refund, with interest, must be disposed of for the benefit of the customers. After the increased rates are in effect, pursuant to Rule 25-30.360(6), F.A.C., the Utility must file reports with the Office of Commission Clerk no later than the 20th of every month indicating the monthly and total amount of money subject to refund at the end of the preceding month. The report filed must also indicate the status of the security being used to guarantee repayment of any potential refund.

**Issue 2:** What are the appropriate monthly service rates for Lake Idlewild?

**Recommendation:** The existing service rates for Lake Idlewild should be increased by 20 percent in accordance with Rule 25-30.457, F.A.C. The recommended service rates are shown on Schedule No. 1 of staff's memorandum dated March 21, 2019. The Utility should file 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 sheets pursuant to Rule 25-30.475(1), F.A.C. In addition, the rates should not be implemented until staff has approved the proposed customer notice. The Utility should provide proof of the date notice was given no less than 10 days after the date of the notice.

**ITEM NO.**

**CASE**

6\*\*PAA

**Docket No. 20180216-WU** – Petition for limited alternative rate increase in Lake County by Lake Idlewild Utility Company.

(Continued from previous page)

**Issue 3:** Should the recommended rates be approved for Lake Idlewild on a temporary basis, subject to refund, in the event of a protest filed by a party other than the Utility?

**Recommendation:** Yes. Pursuant to Rule 25-30.457(15), F.A.C., in the event of a protest of the Proposed Agency Action (PAA) Order by a substantially affected person other than the Utility, Lake Idlewild should be authorized to implement the rates established in the LARI PAA Order on a temporary basis subject to refund upon the Utility filing a staff-assisted rate case application within 21 days of the date the protest is filed.

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 temporary rates should not be implemented until staff has approved the proposed notice, and the notice has been received by the customers. If the recommended rates are approved on a temporary basis, the incremental increase collected by the Utility will be subject to the refund provisions outlined in Rule 25-30.360, F.A.C. Pursuant to Rule 25-30.457(17), F.A.C., if the Utility fails to file a staff-assisted rate case application within 21 days in the event there is a protest, the application for a limited alternative rate increase will be deemed withdrawn.

**Issue 4:** Should this docket be closed?

**Recommendation:** No. In the event of a protest, Lake Idlewild may implement the rates established in the PAA Order on a temporary basis, subject to refund with interest, upon the Utility's filing of a staff-assisted rate case application within 21 days of the date of the protest. If Lake Idlewild fails to file a staff-assisted rate case within 21 days, the Utility's petition for a limited alternative rate increase will be deemed withdrawn pursuant to Rule 25-30.457(17), F.A.C. 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, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets, which reflect the Commission-approved rates, and customer notice have been filed by Lake Idlewild and approved by staff, and so that staff may conduct an earnings review of the Utility pursuant to Rule 25-30.457(12), F.A.C. Upon staff's approval of the tariff and completion of the earnings review process as set forth in Rule 25-30.457(12)-(14), F.A.C., this docket should be closed administratively.

**ITEM NO.**

**CASE**

7\*\*PAA

**Docket No. 20180217-WS** – Petition for limited alternative rate increase in Sumter County by Jumper Creek Utility Company.

**Critical Date(s):** 04/22/19 - 90-day deadline pursuant to Rule 25-30.457(11), F.A.C.

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Polmann

**Staff:** AFD: Wilson, Brown  
ECO: Bethea, Hudson  
ENG: Doehling, Graves  
GCL: DuVal, Weisenfeld

**(Proposed Agency Action Except Issue No. 3)**

**Issue 1:** Should the Commission approve Jumper Creek Utility Company's application for a limited alternative rate increase?

**Recommendation:** Yes. The Commission should approve Jumper Creek's application for a limited alternative rate increase in the amount of 20 percent. This equates to an increase of \$4,791 for water and \$5,556 for wastewater.

Pursuant to Rule 25-30.457(12), F.A.C., the Utility is required to hold any revenue increase granted subject to refund with interest for a period of 15 months after the filing of its annual report for the year the adjustment in rates was implemented. If overearnings occur, such overearnings, up to the amount held subject to refund, with interest, must be disposed of for the benefit of the customers. After the increased rates are in effect, pursuant to Rule 25-30.360(6), F.A.C., the Utility must file reports with the Office of Commission Clerk no later than the 20th of every month indicating the monthly and total amount of money subject to refund at the end of the preceding month. The report filed must also indicate the status of the security being used to guarantee repayment of any potential refund.

**Issue 2:** What are the appropriate monthly service rates for Jumper Creek?

**Recommendation:** The existing service rates for Jumper Creek should be increased by 20 percent in accordance with Rule 25-30.457, F.A.C. The recommended service rates are shown on Schedule No. 1 of staff's memorandum dated March 21, 2019. The Utility should file 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 sheets pursuant to Rule 25-30.475(1), F.A.C. In addition, the rates should not be implemented until staff has approved the proposed customer notice. The Utility should provide proof of the date notice was given no less than 10 days after the date of the notice.

**ITEM NO.**

**CASE**

7\*\*PAA

**Docket No. 20180217-WS** – Petition for limited alternative rate increase in Sumter County by Jumper Creek Utility Company.

(Continued from previous page)

**Issue 3:** Should the recommended rates be approved for Jumper Creek on a temporary basis, subject to refund, in the event of a protest filed by a party other than the utility?

**Recommendation:** Yes. Pursuant to Rule 25-30.457(15), F.A.C., in the event of a protest of the Proposed Agency Action (PAA) Order by a substantially affected person other than the Utility, Jumper Creek should be authorized to implement the rates established in the LARI PAA Order on a temporary basis subject to refund upon the Utility filing a staff-assisted rate case application within 21 days of the date the protest is filed.

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 temporary rates should not be implemented until staff has approved the proposed notice, and the notice has been received by the customers. If the recommended rates are approved on a temporary basis, the incremental increase collected by the Utility will be subject to the refund provisions outlined in Rule 25-30.360, F.A.C. Pursuant to Rule 25-30.457(17), F.A.C., if the Utility fails to file a staff-assisted rate case application within 21 days in the event there is a protest, the application for a limited alternative rate increase will be deemed withdrawn.

**Issue 4:** Should this docket be closed?

**Recommendation:** No. In the event of a protest, Jumper Creek may implement the rates established in the PAA Order on a temporary basis, subject to refund with interest, upon the Utility's filing of a staff-assisted rate case application within 21 days of the date of the protest. If Jumper Creek fails to file a staff-assisted rate case within 21 days, the Utility's petition for a limited alternative rate increase will be deemed withdrawn pursuant to Rule 25-30.457(17), F.A.C. 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, a consummating order should be issued. The docket should remain open for staff's verification that the revised tariff sheets, which reflect the Commission-approved rates, and customer notice have been filed by Jumper Creek and approved by staff, and so that staff may conduct an earnings review of the Utility pursuant to Rule 25-30.457(12), F.A.C. Upon staff's approval of the tariff and completion of the earnings review process as set forth in Rule 25-30.457(12)-(14), F.A.C., this docket should be closed administratively.

**ITEM NO.**

**CASE**

8\*\*PAA

**Docket No. 20180186-GU** – Petition for approval of demand side management goals and residential customer assisted and commercial walk-through energy audit programs, by Peoples Gas System.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Brown

**Staff:** ENG: Wright, Doehling, Ellis, King, Knoblauch, Wooten

ECO: Coston, Morgan, Wu

GCL: DuVal, Dziechciarz

**Issue 1:** Are the Company’s proposed goals based on an adequate assessment of the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems?

**Recommendation:** Yes. PGS has analyzed the maximum system-wide therm savings theoretically possible from implementation of DSM measures commercially available in Florida. As such, staff recommends that the updated Technical Potential seen in Table 1-1 of staff’s memorandum dated March 21, 2019, is an adequate assessment of the full technical potential, and serves as an acceptable basis for the Company’s annual therm savings goals.

**Issue 2:** What residential and commercial annual therm savings goals should be established for the period 2019-2028?

**Recommendation:** Staff recommends that the Commission establish the annual therm savings seen in Table 2-1 of staff’s memorandum dated March 21, 2019, as PGS’ annual conservation goals for the period 2019-2028. The Company’s proposed conservation goals adequately address the considerations enumerated in Section 366.82(3), F.S.

**Issue 3:** Should the Commission approve the Company’s new residential and commercial audit programs?

**Recommendation:** Yes. The scope of both the Residential Customer Assisted Energy Audit and the Commercial Walk-Through Energy Audit meet the requirements established by FEECA. Accordingly, PGS should be allowed recovery of reasonable and prudent expenditures associated with these programs through the ECCR clause.

**ITEM NO.**

**CASE**

---

8\*\*PAA

---

**Docket No. 20180186-GU** – Petition for approval of demand side management goals and residential customer assisted and commercial walk-through energy audit programs, by Peoples Gas System.

(Continued from previous page)

**Issue 4:** Should this docket be closed?

**Recommendation:** Yes. If no person whose substantial interests are affected by the proposed agency action (PAA) files a protest within 21 days of the issuance of the PAA Order, a Consummating Order should be issued and the docket should be closed. If the Commission approves the proposed Residential Customer Assisted Energy Audit and the Commercial Walk-Through Energy Audit programs, those programs should become effective on the date of the Consummating Order. If a protest is filed within 21 days of the issuance of the PAA Order, the programs should not be implemented until after the resolution of the protest. Within 90 days of the issuance of the final order, PGS should file a demand-side management plan designed to meet the Utility’s approved goals.

**ITEM NO.**

**CASE**

9\*\*PAA

**Docket No. 20150010-WS** – Application for staff-assisted rate case in Brevard County by Aquarina Utilities, Inc.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Brown

**Staff:** ENG: Lewis, King

AFD: Fletcher, Mouring, Smith II

ECO: Bruce

GCL: Murphy

**Issue 1:** What are the appropriate Phase II revenue requirements for Aquarina?

**Recommendation:** The appropriate revised Phase II revenue increases are \$7,550 for potable water, no increase for non-potable water, and \$965 for wastewater, which equate to increases of 4.77 percent for potable water and 0.54 percent for wastewater, over Phase I revenue requirements. Phase II rate base is shown on Schedule Nos. 1-A through 1-D of staff's memorandum dated March 21, 2019. The operating income for Phase II is shown on Schedule Nos. 2-A through 2-D of staff's memorandum dated March 21, 2019.

**Issue 2:** What are the appropriate rates for Phase II?

**Recommendation:** The appropriate Phase II rates are shown on Schedule Nos. 3-A and 3-B of staff's memorandum dated March 21, 2019. 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 sheets 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 3:** Should this docket be closed?

**Recommendation:** No. 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, a consummating order will be issued. The docket should remain open for staff's verification that the revised tariff sheets and the customer notice have been filed by the Utility and approved by staff. When the tariff and notice actions are complete, this docket may be closed administratively.

**ITEM NO.**

**CASE**

10\*\*

**Docket No. 20180131-WS** – Application for amendment of water and wastewater Certificate Nos. 669-W and 571-S, to extend service area to include certain additional land in Lake and Sumter Counties, by South Sumter Utility Company, LLC.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Polmann

**Staff:** ENG: M. Watts

AFD: Sowards

ECO: Bethea

GCL: J. Crawford

**Issue 1:** Should the Commission approve South Sumter Utility Company, LLC's application for amendment of Certificate Nos. 669-W and 571-S to extend its water and wastewater territory in Sumter and Lake Counties?

**Recommendation:** Yes. The Commission should amend Certificate Nos. 669-W and 571-S to include the territory as described in Attachment A of staff's memorandum dated March 21, 2019, effective the date of the Commission's vote. The resultant order should serve as SSU's amended certificate and should be retained by the Utility. The Utility should charge future customers in the territory added herein the rates and charges contained in its current tariffs until a change is authorized by the Commission in a subsequent proceeding.

**Issue 2:** Should this docket be closed?

**Recommendation:** If the Commission approves staff's recommendation, no further action will be necessary, and this docket should be closed upon issuance of the order.



**ITEM NO.**

**CASE**

11\*\*PAA

**Docket No. 20180232-SU** – Request for cancellation of Certificate No. 453-S by Pine Island Cove Homeowners Association, Inc.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Clark

**Staff:** ENG: Doehling, Salvador

GCL: Simmons

**Issue 1:** Should the Commission acknowledge Pine Island Cove Homeowners Association, Inc.'s exemption from the Commission's jurisdiction pursuant to Section 367.022(7), F.S.?

**Recommendation:** Yes. The Commission should acknowledge Pine Island's exemption from the Commission's jurisdiction pursuant to Section 367.022(7), F.S. Therefore, the Commission should cancel Certificate No. 453-S effective the date the consummating order is issued, and return the transfer application fee. Regulatory assessment fees (RAFs) for 2019 are due to the Commission within 30 days of the Commission vote.

**Issue 2:** Should this docket 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 the docket should be closed.

**ITEM NO.**

**CASE**

12\*\*

**Docket No. 20190036-GU** – Petition for authority for approval of revised transportation imbalance tariffs, by Florida Public Utilities Company; Florida Public Utilities Company-Ft. Meade.

**Critical Date(s):** 10/01/19 (8-Month Effective Date)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Administrative

**Staff:** ECO: Guffey, Merryday

GCL: Nieves

**Issue 1:** Should the Commission approve FPUC and FPUC – Fort Meade’s revised transportation imbalance tariffs as contained in Attachments 1 and 2 of staff’s memorandum dated March 21, 2019?

**Recommendation:** Yes, the Commission should approve FPUC and FPUC – Fort Meade’s revised transportation imbalance tariffs as contained in Attachments 1 and 2 of staff’s memorandum dated March 21, 2019. The proposed revisions are designed to act as a deterrent for long monthly imbalances, provide benefits to sales customers, and are consistent with the Florida Division of Chesapeake Utilities Corporation’s imbalance tariffs. The revised tariffs should become effective on April 2, 2019.

**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.

**ITEM NO.**

**CASE**

13\*\*

**Docket No. 20190061-EI** – Petition for approval of FPL SolarTogether program and tariff, by Florida Power & Light Company.

**Critical Date(s):** 5/12/19 (60-Day Suspension Date)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Administrative

**Staff:** ECO: Doherty, Coston, Draper

GCL: Trierweiler

**Issue 1:** Should the Commission suspend FPL's proposed SolarTogether program and associated tariff?

**Recommendation:** Yes.

**Issue 2:** Should this docket be closed?

**Recommendation:** No.