

# FLORIDA PUBLIC SERVICE COMMISSION

## COMMISSION CONFERENCE AGENDA

**CONFERENCE DATE AND TIME:** Tuesday, May 4, 2021, 9:30 a.m.

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

**DATE ISSUED:** April 22, 2021

---

---

### 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.

Due to COVID-19, all public participation must be telephonic or by written comment. To participate informally, affected persons must either: (1) request the opportunity to address the Commission telephonically on an item listed on the agenda by contacting the Office of General Counsel at (850) 413-6199 by noon on May 3, 2021; or (2) file any written comments for a particular item in the applicable Docket file by noon on May 3, 2021.

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).

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 some other state of emergency 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).

Table of Contents  
 Commission Conference Agenda  
 May 4, 2021

1**	<b>Consent Agenda</b> .....	1
2**	<b>Docket No. 20210049-TP</b> – Request for submission of proposals for relay service, beginning in March 2022, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991. ....	2
3**	<b>Docket No. 20200240-WS</b> – Proposed amendment of Rule 25-30.460, F.A.C., Application for Miscellaneous Service Charges. ....	3
4**	<b>Docket No. 20210062-OT</b> – Proposed amendment of Rule 25-6.0143, F.A.C., Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4 and proposed new Rule 25-7.0143, F.A.C., Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4. ....	4
5	<b>Docket No. 20210015-EI</b> – Petition for rate increase by Florida Power & Light Company. ....	5
6**PAA	<b>Docket No. 20210046-EI</b> – Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.07% to 6.18%, effective January 1, 2021, by Duke Energy Florida, LLC. ....	6
7**	<b>Docket No. 20200039-GU</b> – Petition for approval to implement a temporary storm cost recovery surcharge, by St. Joe Natural Gas Company. ....	7
8**PAA	<b>Docket No. 20210040-GU</b> – Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 5.97% to 6.00%, effective 1/1/21, by Peoples Gas System. ....	8
9**PAA	<b>Docket No. 20170114-WU</b> – Application for transfer of facilities and water Certificate No. 165-W in Pasco County from Allen LaFortune and Otis Fonder to A Utility Inc. ....	9
10**PAA	<b>Docket No. 20200238-WU</b> – Application for certificate to operate water utility in Marion County, and application for pass through increase of regulatory assessment fees, by Citra Highlands Water System, LLC. ....	10
11	<b>Docket No. 20210034-EI</b> – Petition for rate increase by Tampa Electric Company. ....	12
12	<b>Docket No. 20210064-EI</b> – Petition for approval of revised underground residential distribution tariffs, by Tampa Electric Company. ....	13
13**PAA	<b>Docket No. 20210042-GU</b> – Petition for approval of firm service agreement with Peoples Gas System, by SeaCoast Gas Transmission, L.L.C. ....	14

**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>
-------------------	---------------------

20210054-TX	CSG-Cloud, LLC
-------------	----------------

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

**ITEM NO.**

**CASE**

2\*\*

**Docket No. 20210049-TP** – Request for submission of proposals for relay service, beginning in March 2022, for the deaf, hard of hearing, deaf/blind, or speech impaired, and other implementation matters in compliance with the Florida Telecommunications Access System Act of 1991.

**Critical Date(s):** The current contract with Sprint expires February 28, 2022. Significant time is needed to issue the RFP, evaluate proposals, and to set-up the system.

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** La Rosa

**Staff:** IDM: Williams

GCL: Murphy

**(Anticipate the need for sign language interpreters and assisted listening devices. Please place near the beginning of the agenda to reduce interpreter costs.)**

**Issue 1:** Should the RFP be issued?

**Recommendation:** Yes. The Commission should issue the RFP, as set forth in Attachment A.

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

**Recommendation:** No.

**ITEM NO.**

**CASE**

3\*\*

**Docket No. 20200240-WS** – Proposed amendment of Rule 25-30.460, F.A.C.,  
Application for Miscellaneous Service Charges.

**Rule Status:** Proposed

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** La Rosa

**Staff:** GCL: DuVal

ECO: Bethea, Sibley, Guffey, Hudson

**(Proposal May Be Deferred)**

**Issue 1:** Should the Commission propose amendments to Rule 25-30.460, F.A.C.,  
Application for Miscellaneous Service Charges?

**Recommendation:** Yes, the Commission should propose amendments to Rule 25-  
30.460, F.A.C., as set forth in Attachment A of staff's memorandum dated April 22,  
2021. The Commission should certify Rule 25-30.460, F.A.C., as a minor violation rule.

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

**Recommendation:** Yes. If no requests for hearing, information regarding the SERC,  
proposals for a lower cost regulatory alternative, or Joint Administrative Procedures  
Committee (JAPC) comments are filed, the rule should be filed with the Department of  
State, and the docket should be closed.

**ITEM NO.**

**CASE**

4\*\*

**Docket No. 20210062-OT** – Proposed amendment of Rule 25-6.0143, F.A.C., Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4 and proposed new Rule 25-7.0143, F.A.C., Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4.

**Rule Status:** Proposed

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Fay

**Staff:** GCL: Harper

AFD: Fletcher, Mouring

ECO: Coston, Guffey

**(Proposal May Be Deferred)**

**Issue 1:** Should the Commission propose the amendment of Rule 25-6.0143, F.A.C., Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4., and propose the adoption of Rule 25-7.0143, F.A.C., Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4?

**Recommendation:** Yes. The Commission should propose the amendment of Rule 25-6.0143, F.A.C., and propose the adoption of Rule 25-7.0143, F.A.C., as set forth in Attachment A of staff's memorandum dated April 22, 2021. The Commission should also certify Rules 25-6.0143 and 25-7.0143, F.A.C., as minor violation rules.

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

**Recommendation:** Yes. If no requests for hearing, information regarding the SERC, proposals for a lower cost regulatory alternative, or JAPC comments are filed, the rules should be filed with the Department of State, and the docket should be closed.

**ITEM NO.**

**CASE**

5

**Docket No. 20210015-EI** – Petition for rate increase by Florida Power & Light Company.

**Critical Date(s):** 05/11/21 (60-Day Suspension Date)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Clark

**Staff:** AFD: Mouring

GCL: Brownless

**(Participation is at the Commission's discretion)**

**Issue 1:** Should Florida Power & Light Company's request for a \$1.108 billion permanent rate increase effective January 1, 2022, a \$607 million permanent rate increase effective January 1, 2023, SoBRAs of approximately \$140 million for both 2024 and 2025, and the associated tariff revisions be suspended pending a final decision in this docket?

**Recommendation:** Yes. The \$1.108 billion permanent rate increase effective January 1, 2022, a \$607 million permanent rate increase effective January 1, 2023, SoBRAs of approximately \$140 million for both 2024 and 2025, and the associated tariff revisions should be suspended pending a final decision in this docket.

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

**Recommendation:** No, this docket should remain open to process the Company's revenue increase request.

**ITEM NO.**

**CASE**

6\*\*PAA

**Docket No. 20210046-EI** – Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.07% to 6.18%, effective January 1, 2021, by Duke Energy Florida, LLC.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Administrative

**Staff:** AFD: Mathis, D. Buys, Cicchetti

GCL: Trierweiler

**Issue 1:** Should the Commission approve DEF's request to increase its AFUDC rate from 6.07 percent to 6.18 percent?

**Recommendation:** Yes. The appropriate AFUDC rate for DEF is 6.18 percent based on a 13-month average capital structure for the period ended December 31, 2020.

**Issue 2:** What is the appropriate monthly compounding rate to achieve the requested 6.18 percent annual AFUDC rate?

**Recommendation:** The appropriate compounding rate to achieve an annual AFUDC rate of 6.18 percent is 0.005008.

**Issue 3:** Should the Commission approve DEF's requested effective date of January 1, 2021, for implementing the revised AFUDC rate?

**Recommendation:** Yes. The revised AFUDC rate should be effective January 1, 2021, for all purposes.

**Issue 4:** 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**

7\*\*

**Docket No. 20200039-GU** – Petition for approval to implement a temporary storm cost recovery surcharge, by St. Joe Natural Gas Company.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Graham

**Staff:** AFD: M. Andrews, Mouring  
ECO: Coston, Forrest  
ENG: P. Buys, Ramos  
GCL: Stiller, J. Crawford, Osborn

On January 24, 2020, St. Joe Natural Gas Company (SJNG or Company) filed a petition to recover \$381,512 in incremental storm restoration costs associated with Hurricane Michael. In the petition, the Company stated that it had incurred incremental costs of \$312,012 and projected \$60,500 in remaining costs to restore its gas system to pre-storm condition.

On March 25, 2021, SJNG and OPC (the Parties) filed a Joint Petition for Approval of Stipulation and Settlement (Settlement Agreement). The Settlement Agreement includes adjustments to the recoverable storm amount, an adjustment to base rates after the storm surcharge terminates, and storm restoration cost process improvements to facilitate cost effective and timely storm damage recovery and service restoration.

The Commission should vote on whether or not to grant the Joint Motion for Approval of Stipulation and Settlement which is attached as Attachment A to staff's memorandum dated April 22, 2021.

**ITEM NO.**

**CASE**

8\*\*PAA

**Docket No. 20210040-GU** – Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 5.97% to 6.00%, effective 1/1/21, by Peoples Gas System.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Administrative

**Staff:** AFD: Osorio, D. Buys, Cicchetti

GCL: Trierweiler

**Issue 1:** Should the Commission approve PGS's request to increase its AFUDC rate from 5.97 percent to 6.00 percent?

**Recommendation:** Yes. The appropriate AFUDC rate for PGS is 6.00 percent based on a 13-month average capital structure for the period ended December 31, 2020.

**Issue 2:** What is the appropriate monthly compounding rate to achieve the requested 6.00 percent annual AFUDC rate?

**Recommendation:** The appropriate compounding rate to achieve an annual AFUDC rate of 6.00 percent is 0.004868.

**Issue 3:** Should the Commission approve PGS's requested effective date of January 1, 2021, for implementing the revised AFUDC rate?

**Recommendation:** Yes. The revised AFUDC rate should be effective January 1, 2021, for all purposes.

**Issue 4:** 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**

9\*\*PAA

**Docket No. 20170114-WU** – Application for transfer of facilities and water Certificate No. 165-W in Pasco County from Allen LaFortune and Otis Fonder to A Utility Inc.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Graham

**Staff:** ENG: M. Watts, Doehling

AFD: Norris

ECO: Sibley

GCL: DuVal

**(Proposed Agency Action for Issue 2)**

**Issue 1:** Should the application for transfer of Certificate No. 165-W in Pasco County, from Allen LaFortune and Otis Fonder to A Utility Inc. be approved?

**Recommendation:** Yes, the transfer of Certificate No. 165-W in Pasco County is in the public interest and should be approved effective the date of the Commission's 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 Buyer should be responsible for filing annual reports and paying Regulatory Assessment Fees (RAFs) for 2021 and all future years.

**Issue 2:** What is the appropriate net book value for A Utility Inc.'s water system for transfer purposes and should an acquisition adjustment be approved?

**Recommendation:** The NBV of the water system for transfer purposes is \$9,367 as of January 1, 2017. An acquisition adjustment should not be included in rate base. Within 90 days of the date of the final order, A Utility Inc. 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 A Utility Inc.'s 2021 Annual Report when filed.

**Issue 3:** 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 administratively upon Commission staff's verification that the revised tariff sheets have been filed and the Buyer has notified the Commission in writing that it has adjusted its books in accordance with the Commission's decision.

**ITEM NO.**

**CASE**

10\*\*PAA

**Docket No. 20200238-WU** – Application for certificate to operate water utility in Marion County, and application for pass through increase of regulatory assessment fees, by Citra Highlands Water System, LLC.

**Critical Date(s):** 5/5/21 (Statutory deadline)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** La Rosa

**Staff:** ENG: M. Watts

AFD: Blocker, Norris

ECO: Sibley, Hudson

GCL: Stiller

**(Proposed Agency Action for Issue 3)**

**Issue 1:** Should the application for a water certificate by Citra be approved?

**Recommendation:** Yes. Citra should be granted Certificate No. 679-W to serve the territory described in Attachment A of staff's memorandum dated April 22, 2021, effective the date of the Commission's vote. The resultant order should serve as Citra's water certificate and it should be retained by the Utility.

**Issue 2:** What rates and charges should be approved for Citra?

**Recommendation:** With the exception of the non-sufficient funds (NSF) charge addressed in Issue 3, the Utility's rates and charges that were in effect at the time of its application for an original certificate, shown on Schedule No. 1 attached to staff's memorandum dated April 22, 2021, should be approved. The rates and charges 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. Citra should be required to bill the approved rates and charges until authorized to change them by this Commission in a subsequent proceeding.

**Issue 3:** Should Citra's NSF charge be revised?

**Recommendation:** Yes. The Utility's NSF charge should be revised to reflect the NSF charges currently set forth in Section 68.065, F.S. The NSF charges should be effective on or after the stamped approval date on the tariff sheets pursuant to Rule 25-30.475(1), F.A.C. Furthermore, the charges should not be implemented until staff has approved the proposed customer notice and the notice has been received by customers. The Utility should provide proof of the date the notice was given within 10 days of the date of the notice.

**ITEM NO.**

**CASE**

---

10\*\*PAA

---

**Docket No. 20200238-WU** – Application for certificate to operate water utility in Marion County, and application for pass through increase of regulatory assessment fees, by Citra Highlands Water System, LLC.

(Continued from previous page)

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

**Recommendation:** No. If no person whose substantial interests are affected by the proposed agency action on Issue 3 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 and customer notice have been filed by the Utility and approved by staff. Once these actions are complete, this docket should be closed administratively.

**ITEM NO.**

**CASE**

---

11                                    **Docket No. 20210034-EI** – Petition for rate increase by Tampa Electric Company.

**Critical Date(s):** 06/08/21 (60-Day Suspension Date)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:**                    Graham

**Staff:** ECO: Coston, Smith II  
          GCL: Murphy, Passidomo

**(Tariff Suspension - Participation is at the discretion of the Commission)**

**Issue 1:** Should TECO's request for a \$295 million permanent rate increase for January 1, 2022, a \$102 million permanent rate increase for January 1, 2023, a \$26 million permanent rate increase for January 1, 2024, and all associated tariff revisions be suspended pending a final decision in this docket?

**Recommendation:** Yes. The Commission should suspend Tampa Electric Company's request for a \$295 million permanent rate increase for January 1, 2022, a \$102 million permanent rate increase for January 1, 2023, a \$26 million permanent rate increase for January 1, 2024, and all associated tariff revisions pending a final decision in this docket.

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

**Recommendation:** No, this docket should remain open to process the Company's revenue increase request.

**ITEM NO.**

**CASE**

---

12

**Docket No. 20210064-EI** – Petition for approval of revised underground residential distribution tariffs, by Tampa Electric Company.

**Critical Date(s):** 05/31/21 (60-Day Suspension Date)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Administrative

**Staff:** ECO: Forrest, Coston

GCL: Stiller

**(Tariff Suspension - Participation is at the discretion of the Commission)**

**Issue 1:** Should TECO's proposed underground differential tariffs be suspended?

**Recommendation:** Yes. Staff recommends that the tariffs be suspended to allow staff sufficient time to review the petition and gather all pertinent information in order to present the Commission with an informed recommendation on the tariff proposals.

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

**Recommendation:** This docket should remain open pending the Commission's decision on the proposed tariffs.

**ITEM NO.**

**CASE**

---

13\*\*PAA

---

**Docket No. 20210042-GU** – Petition for approval of firm service agreement with Peoples Gas System, by SeaCoast Gas Transmission, L.L.C.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** La Rosa

**Staff:** ECO: Ward, Coston

GCL: Lherisson

**Issue 1:** Should the Commission approve the February 19, 2021 proposed Agreement between SeaCoast and Peoples?

**Recommendation:** Yes, the Commission should approve the February 19, 2021 proposed Agreement between SeaCoast and Peoples.

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

**Recommendation:** Yes. 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.