

# FLORIDA PUBLIC SERVICE COMMISSION

## COMMISSION CONFERENCE AGENDA

**CONFERENCE DATE AND TIME:** Thursday, July 7, 2022, 9:30 a.m.

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

**DATE ISSUED:** June 24, 2022

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### 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).

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**ITEM NO.**

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**CASE**

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1\*\*

**Consent Agenda**

PAA

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

DOCKET NO.

COMPANY NAME

20220093-TX

Gigapower, LLC (f/k/a Infrastructure Endeavors,  
LLC)

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

**ITEM NO.**

**CASE**

2\*\*PAA

**Docket No. 20220046-TP** – Commission approval of Florida Telecommunications Relay, Inc.'s fiscal year 2022/2023 proposed budget.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** La Rosa

**Staff:** IDM: Williams, Fogleman

GCL: Imig, Tan

**Issue 1:** Should the Commission approve Florida Telecommunications Relay, Inc.'s proposed budget as presented in Attachment A of staff's memorandum dated June 24, 2022, for Fiscal Year 2022/2023, effective August 15, 2022?

**Recommendation:** No. Staff recommends the Commission modify FTRI's proposed budget expense of \$3,753,703 to increase relay service expense by \$208,042, and approve a total budget expense of \$3,961,745 for Fiscal Year 2022/2023.

**Issue 2:** Should the Commission approve FTRI's request to reduce the Telecommunications Relay Service (TRS) surcharge to \$.07 per month?

**Recommendation:** Yes. Staff recommends the Commission approve FTRI's request to reduce the surcharge to \$0.07. Staff recommends the Commission order all local exchange companies to bill the \$0.07 TRS surcharge for Fiscal Year 2022/2023.

**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**

3\*\*

**Docket No. 20220001-EI** – Fuel and purchased power cost recovery clause with generating performance incentive factor.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** La Rosa

**Staff:** AFD: Higgins

ECO: Coston

GCL: Brownless, Sandy

**Issue 1:** Should the Commission modify FPUC’s currently-approved PPA cost recovery factors for purposes of addressing the period-ending 2021 under-recovery of PPA costs?

**Recommendation:** Yes. Staff recommends the Commission approve adjustments to FPUC’s currently-approved PPA cost recovery factors to incorporate the Company’s period-ending 2021 under-recovery of PPA costs in the amount of \$3,790,314.

**Issue 2:** If approved by the Commission, what is the appropriate effective date for FPUC’s revised PPA cost recovery factors?

**Recommendation:** The PPA cost recovery factors, as shown on Appendix A, should become effective with the first billing cycle of August 2022.

**Issue 3:** Should this docket be closed?

**Recommendation:** No. The 20220001-EI docket is an on-going proceeding and should remain open.

**ITEM NO.**

**CASE**

4\*\*PAA

**Docket No. 20220055-EI** – Petition for approval of new environmental program for cost recovery through Environmental Cost Recovery Clause, by Tampa Electric Company.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** La Rosa

**Staff:** ENG: Knoblauch, Ramos

ECO: Wu

GCL: Imig

**Issue 1:** Should the Commission approve Tampa Electric Company’s petition for approval of the CAA, NESHAP Subpart YYYY Compliance Project for cost recovery through the Environmental Cost Recovery Clause?

**Recommendation:** Yes. Staff recommends that TECO’s CAA, NESHAP Subpart YYYY Compliance Project is necessary to comply with the EPA’s CAA, NESHAP Subpart YYYY standard. The Project’s capital expenditures and operation and maintenance expenses should be allocated to rate classes on an energy basis.

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

**Recommendation:** Yes. This docket should be closed upon issuance of a Consummating Order unless a person whose substantial interests are affected by the Commission’s decision files a protest within 21 days of the issuance of the Proposed Agency Action Order.

**ITEM NO.**

**CASE**

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5                      **Docket No. 20220069-GU** – Petition for rate increase by Florida City Gas.

**Critical Date(s):** 7/30/2022 (60-Day Suspension Date)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Clark

**Staff:** ENG: Knoblauch, Ramos

ECO: Hampson, Coston

GCL: Trierweiler, Jones

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

**Issue 1:** Should the request for a permanent increase in rates and charges be suspended for FCG?

**Recommendation:** Yes. Staff recommends that the requested permanent increase in rates and charges be suspended for FCG.

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

**Recommendation:** No. This docket should remain open pending the Commission's final resolution of the Company's requested rate increase.

**ITEM NO.**

**CASE**

6\*\*PAA

**Docket No. 20220057-SU** – Application for original wastewater certificate for existing utility currently charging for service in Franklin County, by SGI Wastewater Services, Inc.

**Critical Date(s):** 7/10/22 (Statutory deadline for original certificate pursuant to Section 367.031, Florida Statutes)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** La Rosa

**Staff:** ENG: Maloy, Ramos

AFD: Sowards, Thurmond

ECO: Bethea

GCL: Rubottom, J. Crawford

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

**Issue 1:** Should the application for a wastewater certificate by SGI Wastewater Services, Inc. be approved?

**Recommendation:** Yes. SGI should be granted Certificate No. 580-S to serve the territory described in Attachment A of staff's recommendation dated June 24, 2022, effective the date of the Commission's vote. The resultant order should serve as SGI's wastewater certificate and it should be retained by the Utility. SGI's existing rates, late payment charge, and initial customer deposits, shown on Schedule No. 1 of staff's recommendation dated June 24, 2022, should remain in effect until a change is authorized by the Commission in a subsequent proceeding.

**Issue 2:** Should SGI Wastewater Services, Inc.'s miscellaneous service charges be revised to conform to amended Rule 25-30.460, F.A.C.?

**Recommendation:** Yes. The miscellaneous service charges should be revised to conform to the recent amendment to Rule 25-30.460, F.A.C. The tariff should be revised to reflect the removal of initial connection and normal reconnection charges. SGI should be required to file a proposed customer notice to reflect the Commission-approved charges. The approved charges should be effective on or after the stamped approval date on the tariff sheet pursuant to Rule 25-30.475(1), F.A.C. In addition, the approved 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 notice was given within 10 days of the date of the notice. SGI should be required to charge the approved miscellaneous service charges until authorized to change them by the Commission in a subsequent proceeding.



**ITEM NO.**

**CASE**

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6\*\*PAA

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**Docket No. 20220057-SU** – Application for original wastewater certificate for existing utility currently charging for service in Franklin County, by SGI Wastewater Services, Inc.

(Continued from previous page)

**Issue 3:** Should this docket be closed?

**Recommendation:** Yes. 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 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**

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7\*\*PAA

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**Docket No. 20220075-EU** – Joint petition for approval of modification to territorial agreement in Polk County, by City of Lakeland and City of Bartow.

**Critical Date(s):** None

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Clark

**Staff:** ECO: Guffey

GCL: Brownless

**Issue 1:** Should the Commission approve the proposed New Territorial Agreement in Polk County between Lakeland and Bartow?

**Recommendation:** Yes, the Commission should approve the proposed New Territorial Agreement in Polk County between Lakeland and Bartow. The approval of this New Territorial Agreement will enable Lakeland and Bartow to accurately reflect their current service areas, better serve existing and future customers in Polk County, and will not be a detriment to the public interest.

**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 the Consummating Order.

**ITEM NO.**

**CASE**

8\*\*

**Docket No. 20220003-GU** – Purchased gas adjustment (PGA) true-up.

**Critical Date(s):** 7/7/22

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** La Rosa

**Staff:** ECO: Barrett, Coston

GCL: Sandy

**Issue 1:** Should the Commission approve the Petition for Mid-Course Correction filed by Peoples Gas System?

**Recommendation:** Yes. The Commission should approve the Petition for Mid-Course Correction filed by Peoples Gas System. Adjusting the PGA cap as proposed by the Company would allow it the opportunity to timely recover the recent market-driven escalation in the Company's forecasted costs for natural gas that are expected to be much higher than originally forecasted.

**Issue 2:** If approved by the Commission, what is the appropriate effective date for Peoples' revised levelized PGA cap?

**Recommendation:** The appropriate revised levelized PGA cap shown on Attachment A (tariff sheet No. 7.101-1) of staff's recommendation dated June 24, 2022, should become effective with the first billing cycle of August 2022.

**Issue 3:** Should this docket be closed?

**Recommendation:** No. Docket No. 20220003-GU is an on-going proceeding and should remain open.

**ITEM NO.**

**CASE**

9

**Docket No. 20220067-GU** – Petition for rate increase by Florida Public Utilities Company, Florida Division of Chesapeake Utilities Corporation, Florida Public Utilities Company - Fort Meade, and Florida Public Utilities Company - Indiantown Division.

**Critical Date(s):** 07/25/22 (60-Day Suspension Date)

**Commissioners Assigned:** All Commissioners

**Prehearing Officer:** Passidomo

**Staff:** ECO: Guffey, Coston, Draper

GCL: Sandy, J. Crawford

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

**Issue 1:** Should the request for a permanent increase in rates and charges be suspended for FPUC?

**Recommendation:** Yes. Staff recommends that the requested permanent increase in rates and charges be suspended for FPUC.

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

**Recommendation:** No. This docket should remain open pending the Commission's final resolution of the Company's requested rate increase.