

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, January 10, 2023, 9:30 a.m.

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

DATE ISSUED: December 28, 2022

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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ITEM NO.

CASE

1**

Docket No. 20220182-GU – Proposed amendment of Rule 25-12.005, F.A.C., Codes and Standards Adopted.

Rule Status: Proposed

Commissioners Assigned: All Commissioners

Prehearing Officer: Passidomo

Staff: GCL: Rubottom

ECO: Guffey

ENG: Kissel, Graves

(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. The Commission should also certify that Rule 25-12.005, F.A.C., is not a rule 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 JAPC comments are filed, and no proposal for a lower cost regulatory alternative is submitted, the rule may be filed with the Department of State for adoption, and the docket should be closed.

ITEM NO.

CASE

2**PAA

Docket No. 20220185-WS – Application for limited alternative rate increase in Hardee, Manatee, Marion, Polk, and Pasco Counties, by Charlies Creek Utilities, LLC, Crestridge Utilities, LLC, East Marion Utilities, LLC, Heather Hills Utilities, LLC, Holiday Gardens Utilities, LLC, Lake Yale Utilities, LLC, McLeod Gardens Utilities, LLC, Orange Land Utilities, LLC, Sunny Shores Utilities, LLC, Sunrise Water, LLC and West Lakeland Wastewater, LLC.

Critical Date(s): 02/06/23 (Petition for Temporary Waiver Deemed Approved if Not Granted or Denied by this Date pursuant to Section 120.542(8), Florida Statutes, (F.S.))

Commissioners Assigned: All Commissioners

Prehearing Officer: La Rosa

Staff: GCL: Harper, Jones

AFD: Richards, Higgins

ECO: Bruce, Hudson

ENG: Davis, Ellis

Issue 1: Should the Commission grant FUS1’s Petition for a waiver of Rule 25-30.020(2)(f), F.A.C.?

Recommendation: No, the Commission should deny FUS1’s Petition for a waiver of Rule 25-30.020(2)(f), F.A.C.

Issue 2: Should this docket be closed?

Recommendation: No. The docket should remain open.

ITEM NO.

CASE

3**PAA

Docket No. 20220158-GU – Joint petition for approval of territorial agreement in Santa Rosa County, by the City of Gulf Breeze and the Okaloosa Gas District.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: ECO: Guffey

GCL: Dose, J. Crawford

Issue 1: Should the Commission approve the proposed new Territorial Agreement between the City of Gulf Breeze and the Okaloosa Gas District in southern Santa Rosa County?

Recommendation: Yes, the Commission should approve the proposed new Territorial Agreement between the City Gulf Breeze and the Okaloosa Gas District in southern Santa Rosa County. The proposed Agreement will define the parties' respective service areas in southern Santa Rosa County pursuant to the amended Chapter 2021-262, Laws of Florida, and comply with the legislative directive that the Disputed Area be determined by a final order of the Commission. Additionally, the proposed Agreement will avoid duplication of service and mitigate the potential for future disputes.

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

4**PAA

Docket No. 20220164-GU – Joint petition for approval of territorial agreement in Santa Rosa County, by the Okaloosa Gas District and the City of Milton.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Passidomo

Staff: ECO: Guffey

GCL: Watrous, J. Crawford

Issue 1: Should the Commission approve the proposed new Territorial Agreement between the City of Milton and the Okaloosa Gas District in Santa Rosa County?

Recommendation: Yes, the Commission should approve the proposed new Territorial Agreement between the City of Milton and the Okaloosa Gas District in Santa Rosa County. The proposed Territorial Agreement will clearly define specific service boundaries within Santa Rosa County between Milton and the Gas District and will avoid duplication of facilities and services.

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.