

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Thursday, November 9, 2023, 9:30 a.m.

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

DATE ISSUED: November 1, 2023*

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 <https://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 (<https://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.

*Revised to insert late-filed recommendation for Item 4.

Table of Contents
 Commission Conference Agenda
 November 9, 2023

1	Election of Commission Chairman for a two-year term beginning January 2, 2024.....	1
2**	Consent Agenda	1
3**	Docket No. 20230107-TL – Initiation of show cause proceeding against Consolidated Communications of Florida Company for apparent violation of Rule 25-18.020(6), Florida Administrative Code (F.A.C.).....	2
4	Docket No. 20230010-EI – Storm protection plan cost recovery clause.....	3
5**	Docket No. 20230076-TP – 2024 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.	12
6**	Docket No. 20230017-EI – Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Ian and Nicole, by Florida Power & Light Company.	13
7**	Docket No. 20230019-EI – Petition for recovery of costs associated with named tropical systems during the 2019-2022 hurricane seasons and replenishment of storm reserve, by Tampa Electric Company.....	14
8**PAA	Docket No. 20230033-SU – Application for transfer of wastewater Certificate No. 562-S of TKCB, Inc. to CSWR-Florida Utility Operating Company, LLC, in Brevard County.....	15
9**	Docket No. 20230068-EI – Petition for approval of smart outdoor lighting services pilot program by Duke Energy Florida, LLC.	17
10**	Docket No. 20230072-EI – Petition for approval of shared solar tariff change, by Tampa Electric Company.	18
11**	Docket No. 20230090-EI – Petition to implement 2024 generation base rate adjustment provisions in paragraph 4 of the 2021 stipulation and settlement agreement, by Tampa Electric Company.....	20
12**PAA	Docket No. 20230094-GU – Petition by Peoples Gas System, Inc. for approval of special contract with Tampa Port Authority.	21
13**	Docket No. 20230098-GU – Petition for approval of 2022 true-up, projected 2023 true-up, and 2024 revenue requirements and surcharges associated with cast iron/bare steel pipe replacement rider, by Peoples Gas System.	22
14**	Docket No. 20230097-GU – Petition for approval of safety, access, and facility enhancement program true-up and 2024 cost recovery factors, by Florida City Gas.	23

Table of Contents
Commission Conference Agenda
November 9, 2023

15	Docket No. 20230110-GU – Petition for approval of tariff modifications to implement transportation balancing charge rider, by Florida City Gas.....	24
16**	Docket No. 20230096-GU – Petition for approval of swing service rider rates for January through December 2024, by Florida Public Utilities Company.	25
17**	Docket No. 20230101-GU – Petition for approval of gas utility access and replacement directive cost recovery factors for January 2024 through December 2024, by Florida Public Utilities Company.	26

ITEM NO.

CASE

-
- 1 **Election of Commission Chairman for a two-year term beginning January 2, 2024.**
-
- 2** **Consent Agenda**
-
- PAA A) Application for Certificate of Authority to Provide Telecommunications Service.
- | <u>DOCKET NO.</u> | <u>COMPANY NAME</u> |
|-------------------|---------------------------------|
| 20230092-TX | Office Management Systems, Inc. |
-
- B) Docket No. 20230099-EI - Application for authority to issue and sell securities for 12 months ending December 31, 2024, by Tampa Electric Company.
- C) Docket No. 20230100-GU - Application for authority to issue and sell securities for 12 months ending December 31, 2024, by Peoples Gas System, Inc.
- D) Docket No. 20230105-EI - Application for authority to issue and sell securities during 12 months ending December 31, 2024, by Duke Energy Florida, LLC.

Recommendation: The Commission should approve the actions requested in the dockets referenced above and close Docket No. 20230092-TX. For monitoring purposes, Docket Nos. 20230099-EI, 20230100-GU and 20230105-EI should remain open until May 2, 2025, to allow the Companies time to file the required Consummation Reports.

ITEM NO.

CASE

3**

Docket No. 20230107-TL – Initiation of show cause proceeding against Consolidated Communications of Florida Company for apparent violation of Rule 25-18.020(6), Florida Administrative Code (F.A.C.).

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: GCL: Imig, Marquez

ENG: P. Buys, King, Ramos

Issue 1: Should the Commission order Consolidated Communications to show cause, in writing, within 21 days from the issuance of the order for apparent violation of Rule 25-18.020(6), F.A.C., why it failed to produce the Annual Report by June 1, 2023, as required by the rule, and why it should not be fined \$500 for failure to comply with Rule 25-18.020(6), F.A.C.?

Recommendation: Yes. Consolidated Communications should be ordered to show cause, in writing, within 21 days from the issuance of the order for apparent violation of Rule 25-18.020(6), F.A.C., why it failed to produce the Annual Report by June 1, 2023, as required by the rule, and why it should not be fined \$500 for failure to comply with Rule 25-18.020(6), F.A.C. Alternatively, Consolidated Communications may file its Annual Report and include its \$500 payment for the late filing with the Commission Clerk within the 21 day period. If the Commission is in receipt of both the Annual Report and the \$500 payment within the 21 day period, staff recommends that the Commission no longer pursue its Show Cause proceedings.

Issue 2: Should this docket be closed?

Recommendation: If the Commission orders Consolidated Communications to show cause as to Issue 1, and Consolidated Communications timely responds in writing to the Show Cause Order, this docket should remain open to allow for the appropriate processing of the response. If the Commission orders Consolidated Communications to show cause as to Issue 1, and Consolidated Communications does not timely respond to the Show Cause Order, then the Commission should issue a Final Order, and this docket should remain open until the fine is collected.

ITEM NO.

CASE

4

Docket No. 20230010-EI – Storm protection plan cost recovery clause.

Critical Date(s): Decision must be rendered by 12/01/23 in order to implement new Storm Protection Plan Cost Recovery Clause factors with the first billing cycle in 2024.

Commissioners Assigned: All Commissioners

Prehearing Officer: La Rosa

Staff: IDM: Eichler, B. Crawford, Temprano

ECO: Guffey, Hampson, Smith II

GCL: Stiller, Dose

(Post-hearing Decision - Participation is Limited to Commissioners and Staff)

Issue 1: What amounts should the Commission approve as the Utilities' final 2022 prudently incurred costs and final jurisdictional revenue requirement true-up amount for the Storm Protection Plan Cost Recovery Clause?

Recommendation:

TECO

Staff recommends the Commission approve \$44,118,287 as TECO's final 2022 prudently incurred costs and an over-recovery amount of \$1,278,701 as TECO's jurisdictional cost recovery true-up amount, including interest, for the period January 2022 through December 2022.

DEF

Staff recommends the Commission approve \$416,956,141 as DEF's final 2022 prudently incurred costs and an over-recovery amount of \$10,715,993 as DEF's jurisdictional cost recovery true-up amount, including interest, for the period January 2022 through December 2022.

FPUC

Staff recommends the Commission approve \$1,519,733 as FPUC's final 2022 prudently incurred costs and an under-recovery amount of \$157,305 as FPUC's jurisdictional cost recovery true-up amount, including interest, for the period January 2022 through December 2022.

FPL

Staff recommends the Commission approve \$1,292,952,697 as FPL's final 2022 prudently incurred costs and an under-recovery amount \$5,171,245 as FPL's jurisdictional cost recovery true-up amount, including interest, for the period January 2022 through December 2022.

ITEM NO.

CASE

4

Docket No. 20230010-EI – Storm protection plan cost recovery clause.

(Continued from previous page)

Issue 2: What amounts should the Commission approve as the Utilities' reasonably estimated 2023 costs and estimated jurisdictional revenue requirement true-up amount for the Storm Protection Plan Cost Recovery Clause?

Recommendation:

TECO

Staff recommends the Commission approve \$67,657,813 as TECO's reasonably estimated 2023 costs and an under-recovery amount of \$3,056,003 as TECO's jurisdictional cost recovery true-up amount, including interest, for the period January 2023 through December 2023.

DEF

Staff recommends the Commission approve \$669,882,033 as DEF's reasonably estimated 2023 costs and an over-recovery amount of \$17,788,390 as DEF's jurisdictional cost recovery true-up amount, including interest, for the period January 2023 through December 2023.

FPUC

Staff recommends the Commission approve \$10,319,882 as FPUC's reasonably estimated 2023 costs and an over-recovery amount of \$142,094 as FPUC's jurisdictional cost recovery true-up amount, including interest, for the period January 2023 through December 2023.

FPL

Staff recommends the Commission approve \$1,307,293,308 as FPL's reasonably estimated 2023 costs and an under-recovery amount of \$14,860,970 as FPL's jurisdictional cost recovery true-up amount, including interest, for the period January 2023 through December 2023.

ITEM NO.

CASE

4

Docket No. 20230010-EI – Storm protection plan cost recovery clause.

(Continued from previous page)

Issue 3: What amounts should the Commission approve as the Utilities' reasonably projected 2024 costs and projected jurisdictional revenue requirement amount for the Storm Protection Plan Cost Recovery Clause?

Recommendation:

TECO

Staff recommends the Commission approve \$212,589,753 as TECO's reasonably projected 2024 costs and a jurisdictional revenue requirement of \$90,584,791 for the period January 2024 through December 2024.

DEF

Staff recommends the Commission approve \$783,792,564 as DEF's reasonably projected 2024 costs and a jurisdictional revenue requirement of \$201,370,792 for the period January 2024 through December 2024.

FPUC

Staff recommends the Commission approve \$13,620,916 as FPUC's reasonably projected 2024 costs and a jurisdictional revenue requirement of \$2,448,891 for the period January 2024 through December 2024.

FPL

Staff recommends the Commission approve \$1,389,706,289 as FPL's reasonably projected 2024 costs and a jurisdictional revenue requirement of \$513,855,741 for the period January 2024 through December 2024.

ITEM NO.

CASE

4

Docket No. 20230010-EI – Storm protection plan cost recovery clause.

(Continued from previous page)

Issue 4: What are the Storm Protection Plan Cost Recovery Clause total jurisdictional revenue requirements, including true-ups to be included in the Storm Protection Plan Cost Recovery factors for 2024?

Recommendation:

TECO

Staff recommends the Commission approve \$92,428,593 as TECO's total jurisdictional cost recovery amount, including true-ups, to be used in establishing TECO's Storm Protection Plan Cost Recovery factor for the period January 2024 through December 2024.

DEF

Staff recommends the Commission approve \$172,866,409 as DEF's total jurisdictional cost recovery amount, including true-ups, to be used in establishing DEF's Storm Protection Plan Cost Recovery factor for the period January 2024 through December 2024.

FPUC

Staff recommends the Commission approve \$2,465,876 as FPUC's total jurisdictional cost recovery amount, including true-ups, to be used in establishing FPUC's Storm Protection Plan Cost Recovery factor for the period January 2024 through December 2024.

FPL

Staff recommends the Commission approve \$533,887,956 as FPL's total jurisdictional cost recovery amount, including true-ups, to be used in establishing FPL's Storm Protection Plan Cost Recovery factor for the period January 2024 through December 2024.

ITEM NO.

CASE

4

Docket No. 20230010-EI – Storm protection plan cost recovery clause.

(Continued from previous page)

Issue 5: What depreciation rates should be used to develop the depreciation expense included in the total Storm Protection Plan Cost Recovery Clause amounts for 2024?

Recommendation: The appropriate depreciation rates that should be used to develop the depreciation expense included in the total Storm Protection Plan Cost Recovery Clause amounts for the period January 2024 through December 2024 are:

TECO

The depreciation rates approved by Order No. PSC-2021-0423-S-EI issued November 10, 2021, in Docket No. 20210034-EI.

DEF

The depreciation rates approved by Order No. PSC-2021-0202A-AS-EI, issued June 28, 2021, in Docket No. 20210016-EI.

FPUC

The depreciation rates approved by Order No. PSC-2020-0347-AS-EI, issued October 8, 2020, in Docket Nos. 20190155, 20190156, and 20190174-EI.

FPL

The depreciation rates approved by Order No. PSC-2021-0446-S-EI, issued December 2, 2021, and PSC-2021-0446A-S-EI, issued December 9, 2021, in Docket No. 20210015-EI.

Issue 6: What are the appropriate jurisdictional separation factors for 2024?

Recommendation:

TECO

The jurisdictional separation factors as shown in TECO's position are appropriate.

DEF

The jurisdictional separation factors as shown in DEF's position are appropriate.

FPUC

The jurisdictional separation factors as shown in FPUC's position are appropriate.

FPL

The jurisdictional separation factors as shown in FPL's position are appropriate.

ITEM NO.

CASE

4

Docket No. 20230010-EI – Storm protection plan cost recovery clause.

(Continued from previous page)

Issue 7: What are the appropriate Storm Protection Plan Cost Recovery Clause factors for 2024 for each rate class?

Recommendation:

The appropriate factors for TECO are as follows:

Cost Recovery Factors

<u>Rate Schedule</u>	<u>(cents per kWh)</u>
RS	0.658
GS and CS	0.775
GSD Optional – Secondary	0.172
GSD Optional – Primary	0.170
GSD Optional – Subtransmission	0.168
LS-1, LS-2	3.877

Cost Recovery Factors

<u>Rate Schedule</u>	<u>(dollars per kW)</u>
GSD – Secondary	0.72
GSD – Primary	0.71
GSD – Subtransmission	0.70
SBD – Secondary	0.72
SBD – Primary	0.71
SBD – Subtransmission	0.70
GSLD - Primary	0.60
GSLD - Subtransmission	0.12

ITEM NO.

CASE

4

Docket No. 20230010-EI – Storm protection plan cost recovery clause.

(Continued from previous page)

The appropriate factors for DEF are as follows:

Customer Class	SPPCRC Factor
Residential	0.510 cents/kWh
General Service Non-Demand	0.494 cents/kW
@ Primary Voltage	0.489 cents/kWh
@ Transmission Voltage	0.484 cents/kWh
General Service 100% Load Factor	0.231 cents/kWh
General Service Demand	1.34 \$/kW
@ Primary Voltage	1.31 \$/kW
@ Transmission Voltage	0.25 \$/kW
Curtable	2.11 \$/kW
@ Primary Voltage	2.09 \$/kW
@ Transmission Voltage	2.07 \$/kW
Interruptible	1.02 \$/kW
@ Primary Voltage	0.83 \$/kW
@ Transmission Voltage	0.19 \$/kW
Standby Monthly	0.119 \$/kW
@ Primary Voltage	0.118 \$/kW
@ Transmission Voltage	0.117 \$/kW
Standby Daily	0.057 \$/kW
@ Primary Voltage	0.056 \$/kW
@ Transmission Voltage	0.056 \$/kW
Lighting	0.373 cents/kWh

ITEM NO.

CASE

4

Docket No. 20230010-EI – Storm protection plan cost recovery clause.

(Continued from previous page)

The appropriate factors for FPUC are as follows:

Rate Schedule	SPP FACTORS PER KWH
Residential	\$0.00432
General Service	\$0.00498
General Service Demand	\$0.00273
General Service Large Demand	\$0.00174
Industrial/Standby	\$0.00293
Lighting Service	\$0.02652

ITEM NO.

CASE

4

Docket No. 20230010-EI – Storm protection plan cost recovery clause.

(Continued from previous page)

The appropriate factors for FPL are as follows:

Rate Class	SPP Factor (\$/kW)	SPP Factor (\$/kWh)	RDC (\$/KW)	SDD (\$/KW)
RS1/RTR1		0.00557		
GS1/GST1		0.00499		
GSD1/GSDT1/HLFT1/GSD1-EV	1.02			
OS2		0.01527		
GSLD1/GSLDT1/CS1/CST1/HLFT2/GSLD1-EV	1.00			
GSLD2/GSLDT2/CS2/CST2/HLFT3	0.96			
GSLD3/GSLDT3/CS3/CST3	0.16			
SST1T			0.02	0.01
SST1D1/SST1D2/SST1D3			0.17	0.07
CILC D/CILC G	1.00			
CILC T	0.14			
MET	1.25			
OL1/SL1/SL1M/PL1/OSI/II		0.00394		
SL2/SL2M/GSCU1		0.00504		

Issue 8: What should be the effective date of the new Storm Protection Plan Cost Recovery Clause factors for billing purposes?

Recommendation: The effective date of the new Storm Protection Plan Cost Recovery Clause factors should be effective the first billing cycle of January 2024 through December 2024.

Issue 9: Should the Commission approve revised tariffs reflecting the new Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding?

Recommendation: Yes, the Commission should approve revised tariffs reflecting the new Storm Protection Plan Cost Recovery Clause factors determined to be appropriate in this proceeding. The Commission should give staff administrative authority to approve the revised tariffs.

Issue 10: Should this docket be closed?

Recommendation: While a separate docket number is assigned each year, this is a continuing docket and should remain open for administrative convenience.

ITEM NO.

CASE

5**

Docket No. 20230076-TP – 2024 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): None

Commissioners Assigned: All Commissioners

Prehearing Officer: La Rosa

Staff: IDM: Wooten, Nave

GCL: Sparks

Issue 1: Should the Commission certify to USAC and the FCC that Windstream Florida, LLC and Windstream Communications, LLC are eligible to receive federal high-cost support?

Recommendation: Yes. The Commission should certify to USAC and the FCC that Windstream Florida, LLC and Windstream Communications, LLC are eligible to receive federal high-cost support.

Issue 2: Should this docket be closed?

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

ITEM NO.

CASE

6**

Docket No. 20230017-EI – Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Ian and Nicole, by Florida Power & Light Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: AFD: Norris

ECO: Hampson

GCL: Stiller, Dose

Issue 1: Should the Commission authorize FPL to implement an amended interim storm restoration recovery charge?

Recommendation: Yes. The Commission should authorize FPL to implement an amended interim storm restoration recovery charge, subject to refund. Once the total actual storm costs are known, FPL should be required to file documentation of the storm costs for Commission review and true up of any excess or shortfall.

Issue 2: Should the Commission approve FPL’s proposed amended interim storm restoration recovery charge tariff as shown in Attachment A of staff’s memorandum dated October 27, 2023?

Recommendation: Yes. The Commission should approve FPL’s proposal to revise the interim storm restoration recovery surcharges and associated tariff, as shown in Attachment A of staff’s memorandum dated October 27, 2023. The tariff should become effective the first billing cycle of January 2024. The interim storm restoration surcharges should be subject to final true-up once the final total actual storm-related costs are known and filed.

Issue 3: Should this docket be closed?

Recommendation: No. This docket should remain open pending final reconciliation of actual recoverable storm costs with the amount collected pursuant to the interim storm restoration recovery charge and the calculation of a refund or additional charge if warranted.

ITEM NO.

CASE

7**

Docket No. 20230019-EI – Petition for recovery of costs associated with named tropical systems during the 2019-2022 hurricane seasons and replenishment of storm reserve, by Tampa Electric Company.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: AFD: D. Buys, Mason, McGowan, Norris

ECO: Hampson

GCL: M. Thompson, Sandy

Issue 1: Should the Commission authorize TECO to implement an amended interim storm restoration recovery charge and modified recovery period?

Recommendation: Yes. The Commission should authorize TECO to implement an amended interim storm restoration recovery charge, subject to refund, and modified recovery period. After the actual costs are reviewed for prudence and reasonableness, and are compared to the actual amount recovered through the interim storm restoration recovery charge, a determination will be made whether any over/under recovery has occurred. The disposition of any over or under recovery, and associated interest, will be considered by the Commission at a later date.

Issue 2: What is the appropriate security to guarantee the amount collected subject to refund through the amended interim storm restoration recovery charge?

Recommendation: The appropriate security to guarantee the funds collected subject to refund is a corporate undertaking.

Issue 3: Should the Commission approve TECO's proposed amended interim storm restoration recovery charge tariff as shown in Attachment A of staff's memorandum dated October 27, 2023?

Recommendation: Yes. The Commission should approve TECO's proposal to revise the storm surcharge factors and associated tariff, as shown in Attachment A of staff's memorandum dated October 27, 2023. The tariff should become effective the first billing cycle of January 2024 and conclude with the last billing cycle of December 2024. The proposed storm surcharge factors should be subject to final true-up once the final total actual storm-related costs are known and filed.

Issue 4: Should this docket be closed?

Recommendation: No, this docket should remain open pending final reconciliation of actual recoverable storm costs with the amount collected pursuant to the interim storm restoration recovery charge and the calculation of a refund or additional charge if warranted.

ITEM NO.

CASE

8**PAA

Docket No. 20230033-SU – Application for transfer of wastewater Certificate No. 562-S of TKCB, Inc. to CSWR-Florida Utility Operating Company, LLC, in Brevard County.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: La Rosa

Staff: ENG: M. Watts, Ramos
AFD: Sowards, Thurmond
ECO: Bruce, Hudson
GCL: Watrous

(Proposed Agency Action for Issue 2)

Issue 1: Should the transfer of Certificate No. 562-S in Brevard County from TKCB, Inc. to CSWR-Florida Utility Operating Company, LLC be approved?

Recommendation: Yes. The transfer of the wastewater system and Certificate No. 562-S is in the public interest and should be approved effective the date that the sale becomes final. The resultant Order should serve as the Buyer's certificate and should be retained by the Buyer. The Buyer should submit the executed and recorded deed for continued access to the land upon which its facilities are located, and a copy of its signed and executed contract for sale to the Commission within 60 days of the Order approving the transfer, which is final agency action. If the sale is not finalized within 60 days of the transfer Order, the Buyer should file a status update in the docket file. The Utility's existing rates, as shown on Schedule No. 4, should remain in effect until a change is authorized by this Commission in a subsequent proceeding. The tariff pages reflecting the transfer should be effective on or after the stamped approval date on the tariff sheets, pursuant to Rule 25-30.475(1), Florida Administrative Code (F.A.C.). The Seller is current with respect to annual reports and regulatory assessment fees (RAFs) through December 31, 2022. The Buyer should be responsible for filing annual reports and paying RAFs for all future years.

Issue 2: What is the appropriate net book value for CSWR-Florida Utility Operating Company LLC's wastewater system for transfer purposes?

Recommendation: For transfer purposes, the NBV of the wastewater system is \$127,878 as of March 31, 2023. An acquisition adjustment should not be included in rate base. Within 90 days of the date of the Consummating Order, CSWR-TKCB 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 the Utility's 2023 Annual Report when filed.

ITEM NO.

CASE

8**PAA

Docket No. 20230033-SU – Application for transfer of wastewater Certificate No. 562-S of TKCB, Inc. to CSWR-Florida Utility Operating Company, LLC, in Brevard County.

(Continued from previous page)

Issue 3: Should this docket be closed?

Recommendation: Yes. 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. The Buyer has notified the Commission in writing that it has adjusted its books in accordance with the Commission’s decision, that the Buyer has submitted the executed and recorded warranty deed, that the Buyer has submitted a copy of its application for permit transfer to the DEP, and that the Buyer has submitted a signed and executed copy of its contract for sale within 60 days of the Commission’s Order approving the transfer.

ITEM NO.

CASE

9**

Docket No. 20230068-EI – Petition for approval of smart outdoor lighting services pilot program by Duke Energy Florida, LLC.

Critical Date(s): 01/15/24 (8-Month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Ward, Hampson

GCL: Brownless

(Tariff Filing)

Issue 1: Should the Commission approve Duke's smart outdoor lighting services pilot program?

Recommendation: Yes, the Commission should approve Duke's smart outdoor lighting services pilot program and the associated revised Tariff Sheet Nos. 6.280 and 6.281 effective on the date of the final Commission order approving the pilot. The pilot program would allow Duke to gather data on energy usage changes from participating customers so that it may develop a future program that is appropriately priced. Participating customers would be able to customize the operating and dimming schedule of their lights.

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 tariff should not go into effect 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

10**

Docket No. 20230072-EI – Petition for approval of shared solar tariff change, by Tampa Electric Company.

Critical Date(s): 1/31/2024 (8-month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Barrett

ENG: Ellis

GCL: Stiller

(Tariff Filing)

Issue 1: Should the Commission approve the proposed changes to TECO’s Shared Solar Rider Tariff?

Recommendation: Yes, the Commission should approve the proposed changes to TECO’s Shared Solar Rider Tariff, as shown in Attachment A of staff’s memorandum dated October 27, 2023, contingent upon TECO’s compliance with certain program implementation provisions and reporting requirements described below.

First, incremental revenues from this program that exceed the Sun Select revenue credits approved in the 2021 Settlement should be recorded as a credit to the Fuel and Purchased Power Cost Recovery Clause (Fuel Clause) to offset expenditures for fuel.

Second, TECO should manage its SSR-1 Tariff program subscriptions to ensure that the proportion of energy sales of residential and commercial customers in the RS and GS classes to total energy sales (all classes) is, in the aggregate, no lower than thirty percent.

Third, in its marketing of the revised program, TECO should not claim or imply that program revenues are earmarked for or contribute to the construction of new solar resources.

Finally, TECO should submit annual reports in March of 2024, 2025, 2026, and 2027 with data for the prior calendar year, detailing the following: 1) the number of revised SSR-1 Tariff program participants, amount of energy sales, waiting list levels, and revenues collected, by subscription level and by rate class; 2) the incremental revenue, above the Sun Select revenue currently included in base rates, credited to the Fuel Clause; 3) a summary of TECO’s key findings regarding customer adoption of community solar programs and its customers’ desire to reach decarbonization goals; and 4) a detailed description of whether and how the results of the program have impacted TECO’s generation planning.

ITEM NO.

CASE

10**

Docket No. 20230072-EI – Petition for approval of shared solar tariff change, by Tampa Electric Company.

(Continued from previous page)

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 tariff, in effect at that time, should remain in effect, with any revenue held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of the consummating order.

ITEM NO.

CASE

11**

Docket No. 20230090-EI – Petition to implement 2024 generation base rate adjustment provisions in paragraph 4 of the 2021 stipulation and settlement agreement, by Tampa Electric Company.

Critical Date(s): 4/16/23 (8-Month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Guffey, Lang

AFD: Mason, Norris

GCL: Dose

(Tariff Filing)

Issue 1: Should the Commission approve the updated 2024 GBRA amount of \$21,689,323?

Recommendation: Staff recommends approving TECO’s updated 2024 GBRA amount of \$21,689,323 with the requirement that the Company file updated 2023 and 2024 GBRAs, adjusted to reflect IRA impacts, by April 1, 2024.

Issue 2: Should the Commission approve TECO's revised tariffs to implement the GBRA increase effective January 2024?

Recommendation: Yes, the Commission should approve TECO’s revised tariffs to implement the GBRA increase effective with the first billing cycle of January 2024 as approved in the settlement order.

Issue 3: Should this docket be closed?

Recommendation: No. If Issues 1 and 2 are 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. This docket should remain open in order for TECO to file updated 2023 and 2024 GBRAs, adjusted to reflect IRA impacts, by April 1, 2024.

ITEM NO.

CASE

12**PAA

Docket No. 20230094-GU – Petition by Peoples Gas System, Inc. for approval of special contract with Tampa Port Authority.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: ECO: Ward, Hampson, P. Kelley

GCL: Brownless

Issue 1: Should the Commission approve the special contract between Peoples and Tampa Port Authority?

Recommendation: Yes, the Commission should approve the special contract between Peoples and Tampa Port Authority. The changes addressed in the special contract are necessary to correspond with the terms of Tampa Port Authority’s Enabling Act and allow it to receive gas service. Peoples should file a conformed copy of the signed special contract with the Commission before the special contract becomes effective.

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.

ITEM NO.

CASE

13**

Docket No. 20230098-GU – Petition for approval of 2022 true-up, projected 2023 true-up, and 2024 revenue requirements and surcharges associated with cast iron/bare steel pipe replacement rider, by Peoples Gas System.

Critical Date(s): 05/01/24 (8-Month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Ward, Hampson

AFD: Hinson

GCL: Sandy

(Tariff Filing)

Issue 1: Should the Commission approve Peoples' proposed CI/BSR Rider surcharges for the period January through December 2024?

Recommendation: Yes, the Commission should approve Peoples' proposed CI/BSR Rider surcharges to be effective for the first billing cycle of January through the last billing cycle of December 2024. Staff has reviewed Peoples' filings and supporting documentation and believes that the calculations are consistent with the methodology approved in the 2012 Order and are reasonable and accurate.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved and a protest is filed within 21 days of the issuance of the order, the tariff 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

14**

Docket No. 20230097-GU – Petition for approval of safety, access, and facility enhancement program true-up and 2024 cost recovery factors, by Florida City Gas.

Critical Date(s): 04/30/24 (8-Month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: P. Kelley, Hampson

AFD: D. Buys, Gatlin

GCL: Thompson

(Tariff Filing)

Issue 1: Should the Commission approve FCG's proposed SAFE tariffs for the period January through December 2024?

Recommendation: Yes. The Commission should approve FCG's proposed SAFE tariff for the period January through December 2024. After reviewing FCG's filings and supporting documentation, the calculations of the 2024 SAFE factors appear consistent with the methodology approved in the 2015 Order and are reasonable and accurate. Furthermore, staff recommends that the Commission approve FCG's proposed 10-year SAFE investment and construction schedule. The proposed tariffs, provided in Attachment B of staff's memorandum dated October 27, 2023, should be effective for the first billing cycle in January 2024 through the last billing cycle of December 2024.

Issue 2: Should this docket be closed?

Recommendation: Yes. 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

15

Docket No. 20230110-GU – Petition for approval of tariff modifications to implement transportation balancing charge rider, by Florida City Gas.

Critical Date(s): 11/25/23 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: McClelland, Hampson

GCL: Watrous

(Tariff Suspension – Participation is at the Commission’s discretion)

Issue 1: Should the Commission suspend FCG’s proposed Transportation Balancing Charge rider and associated tariffs?

Recommendation: Yes. Staff recommends that FCG’s proposed Transportation Balancing Charge rider and associated 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 proposal.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending the Commission decision on the proposed revised tariffs.

ITEM NO.

CASE

16**

Docket No. 20230096-GU – Petition for approval of swing service rider rates for January through December 2024, by Florida Public Utilities Company.

Critical Date(s): 04/29/24 (8-Month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: McClelland, Hampson

GCL: Watrous

(Tariff Filing)

Issue 1: Should the Commission approve the utility's proposed swing service rider rates and tariffs for the period January through December 2024?

Recommendation: Yes. The Commission should approve the utility's proposed swing service rider rates for the period January through December 2024. The costs included are appropriate and the methodology for calculating the swing service rider rates is consistent with the initial Order approving the tariff.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved and a protest is filed within 21 days of the issuance of the order, the tariff 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

17**

Docket No. 20230101-GU – Petition for approval of gas utility access and replacement directive cost recovery factors for January 2024 through December 2024, by Florida Public Utilities Company.

Critical Date(s): 05/01/24 (8-Month Effective Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Guffey

AFD: Mason

GCL: Dose

(Tariff Filing)

Issue 1: Should the Commission approve FPUC's 2024 Gas Utility Access and Replacement Directive (GUARD) cost recovery factors and associated revised tariff sheets (Nos. 7.000 through 7.002, 7.403, 7.404, and 7.405) for the period January to December 2024?

Recommendation: Yes. The Commission should approve FPUC's 2024 GUARD cost recovery factors and associated revised tariff sheets (Nos. 7.000 through 7.002, 7.403, 7.404, and 7.405), included in Attachment B of staff's memorandum dated October 27, 2023, to be effective for the first billing cycle of January through the last billing cycle of December 2024. The GUARD surcharge would allow FPUC to replace problematic pipes and facilities and relocate certain facilities located in rear easements, and recover the project costs on an expedited basis.

Issue 2: Should this docket be closed?

Recommendation: Yes. If 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.