

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, July 9, 2024, 9:30 a.m.

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

DATE ISSUED: June 27, 2024

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.

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ITEM NO.

CASE

1**

Docket No. 20240043-TP – Request for submission of proposals for relay service, beginning in March 2025, 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 expires February 28, 2025. Significant time is needed to issue the RFP, evaluate proposals, and to set-up the system.

Commissioners Assigned: All Commissioners

Prehearing Officer: Fay

Staff: IDM: Williams, Fogleman

GCL: Imig, Farooqi, Harper

Issue 1: Should the Commission issue the RFP for telecommunications relay service?

Recommendation: Yes. The Commission should issue the RFP, as set forth in Attachment A of staff's memorandum dated June 27, 2024.

Issue 2: Should this docket be closed?

Recommendation: No.

ITEM NO.

CASE

2**

Docket No. 20240019-PU – Proposed amendment of Rule 25-14.004, F.A.C., Effect of Parent Debt on Federal Corporate Income Tax.

Rule Status: Proposed (May Be Deferred)

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: GCL: Sapoznikoff

AFD: Cicchetti

ECO: Guffey

Issue 1: Should the Commission propose the amendment of Rule 25-14-004, F.A.C., Effect of Parent Debt on Federal Corporate Income Tax?

Recommendation: Yes. The Commission should propose the amendment of Rule 25-14.004, F.A.C., as set forth in Attachment A of staff's memorandum dated June 27, 2024. The Commission should certify the rule as a minor violation rule.

Issue 2: Should this docket be closed?

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

ITEM NO.

CASE

3**PAA

Docket No. 20240096-TP – Application for designation as an eligible telecommunications carrier in the State of Florida, by Amerimex Communications Corp. d/b/a SafetyNet Wireless.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Passidomo

Staff: IDM: Day, Deas, Fogleman, Mallow

GCL: Farooqi, Imig

Issue 1: Should Amerimex be granted ETC designation to provide Lifeline service throughout the state of Florida?

Recommendation: Yes. Amerimex should be granted ETC designation to provide Lifeline service throughout the State of Florida. Staff also recommends that if there is a future change of Company ownership, the new owners should be required to file a petition with the Commission to demonstrate that it is in the public interest to maintain the Company's ETC designation.

Issue 2: 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 Proposed Agency Action Order, this docket should be closed upon the issuance of a consummating order.

ITEM NO.

CASE

4**PAA

Docket No. 20240018-EG – Commission review of numeric conservation goals (Peoples Gas System, Inc.)

Critical Date(s): Pursuant to 366.82(6), F.S., the Commission must review conservation goals at least once every five years. New conservation goals must be set by January 1, 2025.

Commissioners Assigned: All Commissioners

Prehearing Officer: Graham

Staff: ENG: Davis, Ellis, King, Sanchez, Thompson, Wooten

ECO: Barrett, Kaymak, McNulty

GCL: Imig, Rubottom

IDM: Hitchins, Rogers

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 available in Florida. As such, staff recommends that the updated technical potential, seen in Table 1-1 of staff's memorandum dated June 27, 2024, 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 2025-2034?

Recommendation: Staff recommends that the Commission establish the annual therm savings seen in Table 2-1 of staff's memorandum dated June 27, 2024, as PGS's annual conservation goals for the period 2025-2034. The Company's proposed conservation goals adequately address the considerations enumerated in Section 366.82(3), F.S.

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 PAA Order, a Consummating Order should be issued and the docket should be closed.

ITEM NO.

CASE

5**

Docket No. 20240095-WS – Resolution of the Board of County Commissioners of Citrus County declaring Citrus County subject of the provisions of Sections 367, F.S.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ENG: Ramirez-Abundez, Ramos

GCL: Dose, J. Crawford

Issue 1: Should the Commission acknowledge Resolution No. 2024-040 by the Board of County Commissioners of Citrus County?

Recommendation: Yes. The Commission should acknowledge Resolution No. 2024-040 by the Board of County Commissioners of Citrus County, effective May 28, 2024. All non-exempt, privately-owned water and wastewater utilities in Citrus County should be directed to comply with the provisions of Chapter 367, F.S.

Issue 2: Should this docket be closed?

Recommendation: This docket should remain open to process letters to water and wastewater operators and their subsequent responses. Upon staff's verification that the final response from a water or wastewater system operator affirming exemption status has been received and that no further action is necessary, this docket should be closed administratively.

ITEM NO.

CASE

6**

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: ECO: McClelland, Hampson, Hudson

AFD: Vogel, Norris

GCL: Stiller, J. Crawford

(Tariff Filing)

Issue 1: Should the Commission approve SJNG’s tariff modifications to remove its temporary storm cost recovery surcharge?

Recommendation: Yes, the Commission should approve SJNG’s tariff modifications as shown in Attachment A of staff’s memorandum dated June 27, 2024. SJNG has recovered more than the amount of incremental storm restoration costs permitted in its Settlement Agreement and should terminate the surcharge, effective on the date of the Commission vote.

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.

ITEM NO.

CASE

7**PAA

Docket No. 20230121-EG – Petition for approval of conservation demonstration and development program, by Associated Gas Distributors of Florida.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Passidomo

Staff: ECO: Barrett

ENG: Ellis, Thompson

GCL: Imig

ITEM NO.

CASE

7**PAA

Docket No. 20230121-EG – Petition for approval of conservation demonstration and development program, by Associated Gas Distributors of Florida.

(Continued from previous page)

Issue 1: Should the Commission approve the AGDF’s petition, subject to certain modified conditions, allowing for its proposed Conservation Demonstration and Development (CDD) program for the participating LDCs: FCG, FPUC, Sebring, and SJNG?

Recommendation: Yes, staff recommends the Commission approve AGDF’s petition, subject to modified conditions agreed to by AGDF, allowing for a CDD program for FCG, FPUC, Sebring, and SJNG. Such modified conditions include:

1. The program is limited to five years, and may be extended beyond the initial term, if requested by AGDF at least six months prior to the end of the five-year period;
2. FCG and FPUC may participate in as many as three qualified research projects in any calendar year, with expenditures limited to \$75,000 per project per year; Sebring and SJNG may likewise participate in as many projects limited to \$1,000 per year limit;
3. Any single CDD program project must meet the following minimum eligibility requirements: (a) the proposed measure or program must have an affect on rate-paying customers; (b) there is a lack of available research or insufficient data on the proposed measure or program being evaluated; and (c) there is insufficient Florida-specific data on the proposed program or measure.

In addition, staff recommends that AGDF comply with the following additional provisions:

4. AGDF members must not undertake commercial/industrial class CDD research projects/technologies to the exclusion of residential CDD projects/technologies during the five year period, and should take actions to strike a reasonable balance between the two types of CDD projects;
5. Within 6 months following the conclusion of the 5-year term of the CDD program, or concurrent with a request for CDD program extension, AGDF must file a CDD program status report with the Commission, detailing AGDF’s research findings, impacts on cost effectiveness, and how the utilities plan to or have effectively implemented such findings in new and/or existing DSM programs.
6. In accordance with Sections 366.81 and 366.82, F.S., the focus of all CDD projects undertaken by member utilities must be increasing energy efficiency and/or conservation via advances in technologies and/or their implementation in utility gas distribution systems, end-use gas equipment, or demand side renewable energy systems.

Issue 2: Should this docket be closed?

Recommendation: If Issue 1 is approved, and no protest is filed within 21 days of the issuance of the order, a consummating order should be issued and the docket should be closed.

ITEM NO.

CASE

8**PAA

Docket No. 20240039-GU – Petition for approval of transportation service agreements between Peninsula Pipeline Company, Inc. and Pivotal Utility Holdings, Inc. d/b/a Florida City Gas.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Fay

Staff: ECO: Guffey

GCL: Stiller

Issue 1: Should the Commission approve the proposed firm Transportation Agreement dated February 26, 2024, between Peninsula and FCG in Brevard County?

Recommendation: Yes, the Commission should approve the proposed Transportation Agreement associated with the Brevard County project dated February 26, 2024, between Peninsula and FCG. The Transportation Agreement, which sets rates for Peninsula's charges to FCG, is reasonable and meets the requirements of Section 368.105, F.S. The approval of this Transportation Agreement does not reflect approval of future cost recovery of the monthly reservation charges FCG will incur. The Commission will have the opportunity to review FCG's request for cost recovery of the charges pursuant to the Transportation Agreement in its annual Purchased Gas Adjustment (PGA) proceeding. FCG should provide a status update of the commodity purchase agreement for Brevard County in the upcoming PGA docket.

Issue 2: Should the Commission approve the proposed firm Transportation Agreement dated February 26, 2024, between Peninsula and FCG in Indian River County?

Recommendation: Yes, the Commission should approved the proposed firm Transportation Agreement associated with the Indian River County project dated February 26, 2024, between FCG and Peninsula. The Transportation Agreement, which sets rates for Peninsula's charges to FCG, is reasonable and meets the requirements of Section 368.105, F.S. The approval of this Transportation Agreement does not reflect approval of future cost recovery of the monthly reservation charges FCG will incur. The Commission will have the opportunity to review FCG's request for cost recovery of the charges pursuant to the Transportation Agreement in its annual PGA proceeding.

ITEM NO.

CASE

8**PAA

Docket No. 20240039-GU – Petition for approval of transportation service agreements between Peninsula Pipeline Company, Inc. and Pivotal Utility Holdings, Inc. d/b/a Florida City Gas.

(Continued from previous page)

Issue 3: Should the Commission approve the proposed firm Transportation Agreement dated February 26, 2024, between Peninsula and FCG in Miami-Dade County?

Recommendation: Yes, the Commission should approve the proposed firm Transportation Agreement associated with the Miami-Dade County project dated February 26, 2024, between FCG and Peninsula. The Transportation Agreement, which sets rates for Peninsula’s charges to FCG, is reasonable and meets the requirements of Section 368.105, F.S. The approval of this Transportation Agreement does not reflect approval of future cost recovery of the monthly reservation charges FCG will incur. The Commission will have the opportunity to review FCG’s request for cost recovery of the charges pursuant to the Transportation Agreement in its annual PGA proceeding. FCG should provide a status update of the commodity purchase agreement for Miami-Dade County in the upcoming PGA docket.

Issue 4: 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

9**PAA

Docket No. 20240051-GU – Petition for approval of transportation service agreement with Florida City Gas by Peninsula Pipeline Company, Inc.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Clark

Staff: ECO: Ward, Hampson

GCL: Thompson

Issue 1: Should the Commission approve Peninsula's Transportation Agreement with FCG?

Recommendation: Yes, the Commission should approve Peninsula's Transportation Agreement with FCG dated March 18, 2024, included as Attachment A of staff's memorandum dated June 27, 2024. The proposed Transportation Agreement is reasonable and meets the requirements of Section 368.105, F.S. Furthermore, the proposed Transportation Agreement benefits FCG's current and potential future customers by ensuring that there is a continuous supply of natural gas to Palm Beach County.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no protest is filed by a person whose substantial interest 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

10**PAA

Docket No. 20240050-GU – Petition for approval of transportation service agreement with Florida Public Utilities Company by Peninsula Pipeline Company, Inc.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Clark

Staff: ECO: McClelland, Hampson

GCL: Sandy

Issue 1: Should the Commission approve Peninsula’s transportation service agreement with FPUC?

Recommendation: Yes, the Commission should approve Peninsula’s transportation service agreement with FPUC, dated March 18, 2024, included as Attachment A of staff’s memorandum dated June 27, 2024. The proposed agreement is reasonable and meets the requirements of Section 368.105, F.S. Furthermore, the proposed agreement benefits FPUC’s current and potential future customers through the activation of two additional delivery points.

Issue 2: Should this docket be closed?

Recommendation: If no protest is filed by a person whose substantial interest is affected within 21 days of the issuance of the Order, this docket should be closed upon the issuance of a Consummating Order.