

FLORIDA PUBLIC SERVICE COMMISSION

COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Tuesday, October 1, 2024, 9:30 a.m.

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

DATE ISSUED: September 19, 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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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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October 1, 2024

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ITEM NO.

CASE

1**

Consent Agenda

PAA

A) Docket No. 20240122-EI - Application for authority to issue and sell securities during calendar years 2025 and 2026, pursuant to Section 366.04, F.S., and Chapter 25-8, F.A.C., by Florida Power & Light Company.

Recommendation: The Commission should approve the action requested in the docket referenced above. For monitoring purposes, this docket should remain open until May 1, 2026, to allow the Company time to file the required Consummation Report.

ITEM NO.

CASE

2

Docket No. 20240032-SU – Application for certificate to provide wastewater service in Charlotte County by Environmental Utilities, LLC.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Passidomo

Staff: ENG: Watts, King, Ramirez-Abundez, Ramos

AFD: Norris, Przygocki, Sowards

ECO: Bruce, Sibley

GCL: Thompson, Dose

(Motion to Dismiss and Motion for Reconsideration - Oral Argument Not Requested; Participation is at the Discretion of the Commission)

Issue 1: Should Mr. Hurst’s Motion to Dismiss be granted?

Recommendation: No. Staff does not believe that Mr. Hurst’s Motion to Dismiss demonstrates that EU’s application fails to state a cause of action upon which relief may be granted. There is also already an administrative hearing scheduled in this docket. Therefore, Mr. Hurst’s Motion to Dismiss should be denied.

Issue 2: Should EU’s Motion for Reconsideration be granted?

Recommendation: No. Reconsideration should be denied because the Motion for Reconsideration fails to raise a point of fact or law that the Prehearing Officer overlooked or failed to consider in rendering their decision.

Issue 3: Should this docket be closed?

Recommendation: No. This docket should remain open pending the Commission’s final decision on EU’s application.

ITEM NO.

CASE

3**PAA

Docket No. 20240112-TP – Petition for designation as an eligible telecommunications carrier in the State of Florida, by Air Voice Wireless, LLC d/b/a AirTalk Wireless.

Critical Date(s): None

Commissioners Assigned: All Commissioners

Prehearing Officer: Clark

Staff: IDM: Deas, Fogleman

GCL: Farooqi, Marquez

Issue 1: Should Air Voice be granted ETC designation to provide Lifeline service throughout the State of Florida?

Recommendation: Yes. Air Voice should be granted an 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**

Docket No. 20230131-WS – Application for staff-assisted rate case in Putnam County, by St. Johns River Estates Utilities, LLC.

Critical Date(s): April 30, 2025 (15-Month statutory deadline pursuant to Section 367.0814(2), Florida Statutes)

Commissioners Assigned: All Commissioners

Prehearing Officer: Clark

Staff: AFD: Richards, Higgins, Kelley, Mouring

GCL: Marquez

Issue 1: Does St. Johns remain eligible for a SARC?

Recommendation: No. An applicant must continuously meet all eligibility criteria in Rule 25-30.455(1), F.A.C., to qualify for a SARC. St. Johns' failure to pay its 2023 RAF balance means it is not eligible for a SARC at this time. Therefore, the Commission should deny the SARC application.

Issue 2: Should this docket be closed?

Recommendation: Yes.

ITEM NO.

CASE

5

Docket No. 20240099-EI – Petition for rate increase by Florida Public Utilities Company.

Critical Date(s): 10/21/24 (60-Day Suspension Date, 60-Day Interim Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Passidomo

Staff: ECO: Guffey, Hampson, Hudson

AFD: G. Kelley, Higgins, D. Buys, Ferrer

GCL: Brownless

(Decision on Interim Rates and Tariff Suspension - Participation is at the Commission's Discretion)

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: Is FPUC's proposed interim rate base appropriate?

Recommendation: Yes. FPUC's proposed rate base of \$116,666,956 for the interim historical test year ended December 31, 2023, is appropriate.

Issue 3: Is FPUC's proposed interim return on equity and overall rate of return appropriate?

Recommendation: Yes. The appropriate interim return on equity for FPUC should be 9.25 percent and overall rate of return should be 4.95 percent.

Issue 4: Is FPUC's proposed interim test year net operating income appropriate?

Recommendation: Yes. The appropriate interim test year ended December 31, 2023, net operating income for FPUC should be \$4,429,839.

Issue 5: Is FPUC's proposed interim net operating income multiplier appropriate?

Recommendation: No. The appropriate interim net operating income multiplier should be 1.3496.

Issue 6: Should FPUC's requested interim revenue increase be granted?

Recommendation: Yes. The appropriate interim revenue increase for FPUC should be \$1,812,869.

Issue 7: Should FPUC's proposed interim rates and associated tariffs be approved?

Recommendation: Yes, FPUC's proposed interim rates and associated tariffs as shown in Attachment C of staff's memorandum dated September 19, 2024, should be approved. The interim rates should be made effective for all meter readings occurring on or after 30 days from the date of the Commission vote. In addition, pursuant to Rule 25-22.0406(8), F.A.C., the Company should provide notice to customers of the revised rates. The notice must be approved in advance by staff and provided to the customers with the first bill containing the new rates.

ITEM NO.

CASE

5

Docket No. 20240099-EI – Petition for rate increase by Florida Public Utilities Company.

(Continued from previous page)

Issue 8:

What is the appropriate security to guarantee the amount subject to refund?

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

Issue 9: Should this docket be closed?

Recommendation: No. This docket should remain open to process the revenue increase request of the Company.

ITEM NO.

CASE

6

Docket No. 20240135-GU – Petition for approval of swing service rider, by Florida Public Utilities Company, Florida Public Utilities Company-Indiantown Division, Florida Public Utilities Company-Fort Meade, and Florida Division of Chesapeake Utilities Corporation.

Critical Date(s): 11/02/24 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: McClelland, Hampson

GCL: Sandy

(Tariff Suspension - Participation is at the Commission's Discretion)

Issue 1: Should the Commission suspend FPUC's proposed revised Swing Service Rider rates and associated tariffs for the period January through December 2025?

Recommendation: Yes. Staff recommends that FPUC's proposed revised Swing Service Rider rates and associated tariffs for the period January through December 2025 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: No. This docket should remain open pending the Commission decision on the proposed revised tariffs.

ITEM NO.

CASE

7

Docket No. 20240137-GU – Petition for approval of GUARD cost recovery factors, by Florida Public Utilities Company.

Critical Date(s): 11/02/24 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Guffey

GCL: Brownless

(Tariff Suspension - Participation is at the Commission's Discretion)

Issue 1: Should FPUC's Gas Utility Access and Replacement Directive (GUARD) cost recovery factors and associated revised tariff sheet 7.403 to implement the 2025 GUARD factors, to be effective January 2025, be suspended?

Recommendation: Yes. Staff recommends that FPUC's GUARD cost recovery factors and associated revised tariff sheet 7.403 to implement the 2025 GUARD factors, to be effective January 2025, 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 proposed tariff modifications.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending the Commission decision on FPUC's GUARD cost recovery factors and associated revised tariffs to implement the 2025 GUARD factors.

ITEM NO.

CASE

8

Docket No. 20240133-GU – Petition for approval of 2023 true-up, projected 2024 true-up, and 2025 revenue requirements and surcharges associated with cast iron/bare steel pipe replacement rider, by Peoples Gas System, Inc.

Critical Date(s): 10/29/24 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: Ward, Hampson

GCL: Sandy

(Tariff Suspension - Participation is at the Commission's Discretion)

Issue 1: Should the Commission suspend Peoples' proposed revised CI/BS rates and associated tariff for the period January through December 2025?

Recommendation: Yes. Staff recommends that Peoples' proposed revised CI/BS rates and associated tariff for the period January through December 2025 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: No. This docket should remain open pending the Commission's decision on the proposed tariffs.

ITEM NO.

CASE

9

Docket No. 20240134-GU – Petition for approval of safety, access, and facility enhancement program true-up and 2025 cost recovery factors, by Florida City Gas.

Critical Date(s): 10/29/24 (60-Day Suspension Date)

Commissioners Assigned: All Commissioners

Prehearing Officer: Administrative

Staff: ECO: P. Kelley

GCL: Dose

(Tariff Suspension - Participation is at the Commission's Discretion)

Issue 1: Should the Commission suspend FCG's proposed revised SAFE tariffs for the period of January through December 2025?

Recommendation: Yes. Staff recommends that FCG's proposed revised SAFE tariffs for the period of January through December 2025 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: No. This docket should remain open pending the Commission decision on the proposed revised tariffs.