In re: Petition of Florida Public , Utilities Company for rate increase in Fernandina Beach Division.

DOCKET NO. 881056-EI
ORDER NO. 21211
ISSUED: 5-9-89

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD<br>BETTY EASLEY<br>GERALD L. GUNTER<br>JOHN T. HERNDON

## ORDER SUSPENDING PROPOSED PERMANENT RATES AND AUTHORIZING INTERIM INCREASE

BY THE COMMISSION:
On February 20, 1989, Florida Public Utilitier Company (FPUC or utility) filed a petition for an increase in its rates and charges in its Fernandina Beach Division, designed to produce additional annual revenues of $\$ 908,662$. This amount is based on a claimed test-year deficiency of $\$ 499,902$ and an attrition-year deficiency of $\$ 408,760$. The historic test year is the twelve-month period ended September 30, 1987, and the attrition year is the twelve-month period ending September 30, 1990.

Section $366.06(3)$, Florida Statutes, imposes an affirmative obligation upon this Commission to decide within sixty (60) days of filing whether to withhold consent to all or part of a utility's proposed permanent rate increase. If the Commission withholds consent to the implementation of the new rate schedules, it must deliver to the utility a reason or written statement of good cause for withholding consent.

Upon review of FPUC's petition and the rate increases proposed in it, we find that the proposed rate schedules must be suspended pending the outcome of a formal hearing. We deem it necessary to withhold consent to the operation of the new rate schedules, to require further review of the underlying data and calculations and to require additional support and information in proceedings to be held in this docket.

## INTERIM RELIEF

In the same petition as its request for a permanent rate increase, FPUC asked for an interim rate increase of $\$ 561,600$. The utility bases its request on a 13 -month average rate base for the test year of $\$ 11,191,576$ with an adjusted net operating income of $\$ 752,643$. The petition states that the achieved rate of return for the utility was $6.67 \%$, whereas the required rate of return for interim purposes as defined in Section 360.071(5)(b)2, Florida Statutes, is $9.80 \%$.

## Cost of Capital

Section 366.071 , Florida Statutes, provides that a utility is entitled to interim relief if it establishes that it is

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earning below the minimum of the range of the last authorized rate of return on equity established in its most recent rate case. To determine the need for interim relief, we compare the achieved rate of return for the interim test-year with the required rate of return calculated using the last allowed return on equity and the current cost of other capital.

FPUC's last authorized rate of return on common equity was set in 1974, based upon a test year ended September 30, 1973. The rate of return on common equity set in that case falls within the range of $14.25 \%$ to $14.75 \%$, with a midpoint of $14.50 \%$. The utility's proposed overall rate of return reflects the use of $14.25 \%$, the bottom of the last authorized range, as the required rate of return on common equity. We applied the $14.25 \%$ return on common equity, along with the current cost of the utility's other sources of capital, to the capital structure to determine the appropriate overall rate of return.

The difference between the overall rate of return requested by FPUC, and that which we approve, arose tnrough two adjustments to the utility's proposed capital structure. Absent the provision of the actual interest expense accrued by the utility related to customer deposits, we will apply the current rate of $8 \%$ to customer deposits rather than the $9 \%$ rate proposed by the utility. In addition we will remove the Company's investment in Flo-Gas, an unregulated subsidiary, directly from equity, because there was no evidence to do otherwise. Therefore, we find the appropriate weighted average cost of capital for interim purposes is $9.63 \%$. A cost of capital calculation is attached to this Order as Schedule $f 3$.

## Rate Base

For interim purposes, FPUC made several adjustments to its test-year rate base:

## $\frac{\text { Adjustment 1: Allocation of Local Common Plant }}{\text { To Water Operations }}$

FPUC, in addition to providing electric service in Fernandina Beach, also provides water service to the area. Since certain of the plant investment in Fernandina is jointly used by the two regulated operations, the utility made the following adjustment: reduce plant in service $\$ 171,153$, accumulated depreciation $\$ 55,630$, depreciation expense $\$ 5,314$, and property taxes $\$ 743$. These adjustments are consistent with adjustments made in prior water rate cases and we accept them.

## Adjustment 2: Common Plant AllocationGeneral Office

The utility allocated a portion of its general office plant facilities located in West Palm beach to the Fernandina Beach operations. This adjustment increased plant in service $\$ 166,696$, accumulated depreciation $\$ 65,058$, depreciation expense $\$ 11,131$ and property taxes $\$ 4,482$. These adjustments are consistent with adjustments made in prior rate cases with other operating divisions of the utility, and we accept them.

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## Adjustment 3: Customer Advances

The utility made an adjustment reducing this amount by $\$ 30,878$ to cor.ect an error in the classification of a water deposit as an electric deposit. We accept it tor interim rurposes.

## Adjustment 23: Construction Work In Progress (CWIP)

The utility made an adjustment reducing CWIP by $\$ 112,815$. This adjustment removes CWIP with is eligible to earn Allowance for Funds Used During Construction (AFUDC) from rate base and is consistent with Commission policy.

Adjustments 21 and 22: Fuel and Conservation overrecoveries
The utility excluded from its calculation of working capital $\$ 266,950$ and $\$ 8,037$ of net overrecoveries associated with the fuel and conservation cost recovery clauses, respectively. In prior rate cases, Commission policy has been to include fuel and conservation overrecoveries as a reduction to working capital. Therefore, we will reduce working capital by $\$ 274,987$.

Adjustment 4: Removal of Fuel and Conservation Revenues and Related Expenses

FPUC made adjustment to remove fuel and conservation revenues of $\$ 10,617,266$, operating expenses $\$ 10,464,954$ and revenue related taxes $\$ 172,666$. These adjustments remove the effect of fuel and conservation expenses which are recovered through the cost recovery clauses and are consistent with Commission policy.

Adjustment 5: Unbilled Revenue
EPUC made an an adjustment increasing revenue $\$ 2,643$ to reflect unbilled revenues for the test year. This adjustment is consistent with Commission policy.

## Adjustment 6: Transportation Expenses - Water

The utility made an adjustment increasing operating and maintenance expenses $\$ 7,516$ and $\$ 5,144$ respectively to correct the amount of transportation expenses allocated to the regulated electric operations. The utility allocates all vehicle expenses to the electric or water operations on an Hours Used Basis. This hourly rate is determined by dividing the total monthly transportation costs by total vehicle use hours, which would include expenses to operate large bucket trucks for the electric operation. FPUC's adjustment increases electric expenses to recognize that the costs associated wich these large trucks benefit only electric operations. A similar adjustment was made by FPUC in its last water rate case (Docket No. $860662-W U$ and was accepted by the Commission. We therefore accept this adjustment for interim purposes.

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## Adjustment 7: Accrued Payroll

The utility made an adjustment to increase operating expenses $\$ 11,454$ and reduce maintenance expenses $\$ 5,130$ for out of period payroll expense. Since this adjustment removed the effects of an out of period expense in the test year, we accept it for interim purposes.

## Adjustment 8: Remove Charitable Contributions

FPUC made an adjustment reducing expenses $\$ 1,100$ to remove charitable contributions from expenses. This adjustment is consistent with Commission policy and has been accepted.

## Adjustment 9: Uncollectible Account Expense

An adjustment was made by FPUC to reduce the annual accrual for Uncollectible Accounts Expense $\$ 6,670$ equal to the average charge off for the past three years. Since the utility has never had a rate case and accordingly a similar adjustment has not been made in the Company's last rate case, it would not be appropriate to allow this adjustment for purposes of calculating interim rate relief. This proposed adjustment will be addressed in the utility's full revenue requirements case.

## Adjustment 10: Non-Recurring Fuel Expense

During the test year, the utility retired its diesel generating units and accordingly wrote off to expense its remaining fuel inventory. Since this was a non-recurring expense, the utility reduced expenses $\$ 2,990$ to remove the effects of this item, which we accept for interim purposes.

## Adjustment 11: Power Supply Study

FPUC's Franchise Agreement with Fernandina Beach requires the utility to employ a consultant for the purpose of determining the best wholesale supplies of electricity. The maximum term of future wholesale contracts cannot exceed five years unless agreed to by both parties.

Before a contract is entered into for the purpose of wholesale power, a copy of the consultant's report must be provided the City for review, after which the City will submit its recommendation.

During the test year, FPUC retained the services of Stone and \& Webster to prepare a report as required by the agreement at a cost of $\$ 45,395$. The utility proposes to amortize this amount over four years, at $\$ 11,349$ a year, which would reduce expenses $\$ 34,046$. Since the maximum term of any future wholesale contracts if five years, we will amortize this amount over five years, which will result in an annual expense of $\$ 9,079$. This will cause an additional reduction in test year expense of $\$ 2,270$, for a total reduction of $\$ 36,316$.

## Adjustment 12: Normalize Maintenance of Station Equipment

The utility made an adjustment increasing expenses $\$ 19,610$ to adjust test year expenses to a 10 -year average for Maintenance of Station Equipment. Since this adjustment

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assumes that test year expenses are understated and staff has not had the opportunity to analyze this account, we disallow this adjustment for interim purposes. This proposed adjustment will be addressed in FPUC's full revenue requirements case.

## Adjustment 13: Pole Relocation Costs

In 1987, the utility incurred $\$ 23,812$ in the relocation of poles due to road widening, and now wishes to amortize this item over five years, which would increase expenses $\$ 4,762$.

If the utility is of the opinion that this is an extraordinary expense, it should have requested a special accounting treatment when this expense was incurred. In addition, this is an out of period item. Therefore, we disallow this adjustment for the purpose of calculating interim relief.

$$
\frac{\text { Adjustments } 14 \text { and 15: System Grounding Project - }}{\text { Overhead Conductors and Underground Lines }}
$$

During the test year, FPUC expensed \$21,503 for improvements to the system grounding of overhead conluctors. The utility proposed to amortize this cost over five years, at $\$ 4,301$ per year. Test year expenses would be reduced \$17,202.

In 1987 and 1988, the utility expensed $\$ 20,836$ and $\$ 14,124$ respectively for improvements to the system grounding of underground lines. The utility proposed the same treatment as stated above. These amounts amortized over five years would equal $\$ 6,992$ per year, for a $\$ 7,131$ reduction in test year expense.

The above expenses were incurred in order for FPUC to be in compliance with the requirements of the National Electric Safety Code adopted by the Commission in 1987. Future expenses should level off since expenditures will be incurred as routine maintenance as new customers are added to the system.

Adjustment 16: Maintenance of Line Transformers
FPUC made an adjustment reducing expenses $\$ 15,897$ to remove the non-recurring expense of switchgear rebuilding. Since the utility recognizes this as a non-recurring expense during the time interim rates are in effect, we will allow this adjustment for interim purposes.

Adjustment 17: Income Taxes - Various Adjustments
The utility increased state and federal income taxes $\$ 24,931$ related to its various adjustments discussed above. Based on the adjustments recommended by Staff, income taxes will be increased $\$ 7,515$.

Adjustment 18: Income Taxes - Out-Of-Period Adjustment
The utility made an adjustment increasing state and federal income taxes-current $\$ 27,561$; reduced deferred income taxes $\$ 7,960$ and reduced investment tax credit $\$ 15,521$. These adjustments were made to remove the effects of out-of-period adjustments to income taxes and we accept them.

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## Adjustment 19: Interest Reconciliation

FPUC made an adjustment reducing state and federal income tax $\$ 31,912$ related to its reconciliation of capital structure to rate base. Income taxes have been reduced an additional $\$ 6,741$ because of Commission adjustments to the utility's capital structure.

## Adjustment 20: Reclassifying Investment Tax Credits

The utility reduced the Charge Equivalent to ITC by $\$ 15,521$ to remove from the test year the effects of a prior period adjustment. The $\$ 8,000$ balance remaining in 1987 was reclassified to current income tax expense due to the repeal of the investment tax credit by the federal Tax Reform Act of 1986.

## Interim Rates

In its petition, FPUC proposes to distribute the interim increase among all of its customers in accordance with Commission policy.

We find that the increase should be allocated to each rate class on a uniform percentage of the class base rate revenue, as required by Rule $25-6.0435(2)(a)$, Florida Administrative Code.

Further, the increase should be collected within each class by increasing the test year base charges (customer, demand, non-fuel KWH charges, etc.) by this same percentage increase. This is consistent with the method used for recovering interim increases in recent electric rate cases, (including Docket No. 880558-EI, FPUC's last rate case for its Marianna Division) with the exception of the last two Tampa Electric Company rate cases (Dockets No. 830012-EU and $850050-\mathrm{EI})$. In Docket No. 830012-EU, the Commission voted to collect the interim increase within each rate class on only the non-fuel energy (KWH) charge while in Docket No. 850050-EI it was collected within rate classes by increasing all base charges except the customer charge by a uniform percentage.

Increasing all base charges by the same percentage is preferable because it results in no change in rate structure and all customers experience the same percentage increase in their base rate bills.

Dividing the approved increase of $\$ 456,195$ by base revenues of $\$ 2,776,259$ yields an increase of $16.43 \%$ to be applied uniformly (Schedule 6).

The $\$ 456,195$ interim rate increase shall be collected subject to refund, with interest, and the refund (including interest) shall be guaranteed by an appropriate corporate undertaking to be filed by the utility. The interim rate increase shall be effective for meter readings taken on or after May 18, 1989.

Based on the foregoing, it is

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ORDERED by the Florida Public Service Commission that consent to the rate schedules filed by Florida Public Utilities Company for its Fernandina Beach Division on February 20, 1989, designed to generate $\$ 908,662$ in additional annual revenues, is withheld, and the rate schedules are suspended pending further order of this Commission. It is further

ORDERED that Florida Public Utilities Company is granted an interim award of $\$ 456,195$ in additional annual revenues for its Marianna Division and is authorized to file interim rate schedules consistent with this increase. It is further

ORDERED that the additional revenues approved in this Order shall be collected subject to refund, with interest, and Florida Public Utilities Company shall file a corporate undertaking guaranteeing the refund (including interest). It is further

ORDERED that the interim rates approved by this Order shall be effective for meter readings taken on or after May 18,1989. It is further

ORDERED that Florida Public Utilities Company shall provide each customer with notice of the interim award and that such notice shall first be approved by the Division of Electric and Gas of the Florida Public Service Commission and shall accompany the first bill which reflects the interim increase.
this ${ }^{\text {By Oth day of }}$ Of the Florida Public Service Commission, this $\qquad$ . 1989 .

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| TMPAPAY: <br> TKET MO.: <br> -ST YEAR: | florida public utilities co. - fermandima beach 881056-EI <br> SEPTEMEER 30,1988 |  |  | schedule 6 <br> 11-Apr-89 09:26 An |
| :---: | :---: | :---: | :---: | :---: |
|  | COMPARISOW OF revenue expansion factors |  |  |  |
|  |  |  |  |  |
| LINE |  |  |  |  |
| wo. | DESCRIPTION | company | STAFF | к....................................................................................... |
| 1 | Revenue kequirement | 100.000000 | 100.000000 |  |
| 2 | Uncol lectible Aecounts | (0.168000) | (0.168000) |  |
| 4 |  |  |  |  |
| 5 | Grose Reciepts Tax | (1.500000) | (1.500000) |  |
| 6 |  |  |  |  |
| 7 | Regulatory assessment Fee | (0.083300) | (0.125000) |  |
| 8 |  | ............ | ........... |  |
| 9 | We: Sefore Income faxes | 98.268700 | 98.207000 |  |
| 10 |  |  |  |  |
| 11 | State Income iax Rate | 5.5000\% | 5.5000\% |  |
| 12 |  | ...c....... | -........... |  |
| 13 | State incone tax | 5.605000 | 5.401385 |  |
| 16 |  | ...........* | -........... |  |
| 15 | Wet Before Federal Income taxes | 92.8:3700 | 92.805615 |  |
| 16 17 |  |  |  |  |
| 17 18 | Federal tax Rate | 36.0000\% |  |  |
| 19 | Federal income tax | 31.566858 | 31.553909 |  |
| 20 |  | ............ | ............ |  |
| 21 | Wet operating Incone | $61.2768: 2$ | 61.251706 |  |
| 22 |  | ********** | - \%exememan |  |
| 23 |  |  |  |  |
| 26 25 | Wet Operating Incone Multiplier |  | $\begin{gathered} 1.632608 \\ \text { namenana } \end{gathered}$ |  |

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| OMPANY: JOCKET NO. TEST IEAR: | FLORIDA PUBLIC UTILITIES CO. - FE 881056-EI <br> SEPTEMBER 30,1988 | ANDINA BEACH COMPARATIVE REVEN | $\begin{array}{r} \text { SCHEDULE } 5 \\ 11-A D E-89 \\ 09: 24 \mathrm{AM} \end{array}$ <br> REQUIREMENTS |
| :---: | :---: | :---: | :---: |
| $\begin{gathered} \text { LINE } \\ \text { NO. } \end{gathered}$ | - DESCRIPTION | $\begin{gathered} \text { COMPANY } \\ \text { ADJUSTED } \\ {[2]} \end{gathered}$ | STAFF <br> RECOMMENDATION $[3]$ |
| 1234567891011 | Adjusted Jurisdictional Rate Base | \$11,191,576 | \$10,916,589 |
|  | Required Rate of Return | 9.80\% | 9.631 |
|  | Required Net Operating Income | 1,096,774 | 1,051,268 |
|  | Adiusted Achieved Test Year <br> Jurisdiceional Net Operating Income | 752,643 | 771,841 |
|  | Jurisdiciional NOI Deficiency | 344.131 | 279.427 |
| 13 - | Revenue Expansion Factor | 1.631938 | 1.632608 |
| 25 | Total Revenue Increase | \$561,601 | \$456,194 |

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## FLORIDA PUBLIC UTILITIES COMPANY MARIANNA DIVISION

Schedule of Interim Rates by Rate Class

| Rate <br> Schedule | Current Rate | Interim Rate <br> (16.43\% Increase over) Current Rate |
| :---: | :---: | :---: |
| RS-1 <br> Customer Facilities Charge KWH Charge | $\begin{array}{ll} \$ & 2.50 \\ & 1.28936 \end{array}$ | $\begin{aligned} & 2.91 \\ & 1.50116 \end{aligned}$ |
| RS-2 <br> Customer Facilities Charge KWH Charge | $\begin{array}{ll} s \quad 2.50 \\ .97636 \end{array}$ | $\begin{aligned} & 2.91 \\ & 1.13676 \end{aligned}$ |
| ${ }^{\text {RST }}$ Kh'H Charge | .73436 | .8550¢ |
| GS <br> Customer Facilities Charge KWH Charge | $\begin{array}{ll} \$ & 4.00 \\ & 2.3623 q \end{array}$ | $\begin{aligned} & \$ 4.66 \\ & 2.75046 \end{aligned}$ |
| GSD <br> Customer Facilities Charge <br> KW Demand Charge <br> KWH Charge | $\begin{array}{cc} \$ & 15.00 \\ \text { S } & 1.77 \\ & .60636 \end{array}$ | $\begin{aligned} & \$ 17.46 \\ & \$ 2.06 \\ & .70596 \end{aligned}$ |
| GSLD <br> Customer Charge Transmission Charge Excess KVAR Charge | $\begin{array}{r} \$ 300.00 \\ \$ \\ \$ \quad .70 \\ \$ \end{array}$ | $\begin{array}{r} \$ 349.29 \\ \$ \\ \$ \quad .38 \end{array}$ |
| MS KWH Charge | 1.68436 | 1.96106 |
| OL <br> 7,000 Lumen Lamp 20,000 Lumen Lamp Wood Pole | $\begin{array}{ll}\$ & 2.34 \\ \$ & 4.63 \\ \$ & 1.00\end{array}$ | $\$ 2.72$ $\$ 5.39$ $\$ 1.16$ |
| $\begin{aligned} & \frac{\text { OL-2 }}{9,500 \text { Lumen Lamp }} \\ & 20,000 \text { Lumen Lamp } \\ & \text { Wood Pole } \end{aligned}$ | $\begin{array}{ll}\$ & 4.72 \\ \$ & 6.47 \\ \$ & 1.40\end{array}$ | \$ <br> $\$ .50$ <br> $\$ 7.53$ <br> $\$$ |

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|  |  | $\begin{aligned} & \text { Schedule } 6 \\ & \text { Page } 2 \text { of } 2 \end{aligned}$ |
| :---: | :---: | :---: |
| Rate <br> Schedule | Current Rate | Interim Rate (16.43\% Increase over) Current Rate |
| CSL 250 hatt Lamp w/pole | \$ 7.90 | \$ 9.20 |
| $\frac{\text { SL-2 }}{7,000}$ Lumen Lamp | $\$ 2.34$ $\$ 4.63$ | $\$ 2.72$ $\$ 5.39$ |
| SL-3 <br> 9,500 Lumen Lamp 22,000 Lumen Lamp Wood Pole | $\begin{array}{ll}\text { s } & 4.56 \\ s & 6.14 \\ s & 1.40\end{array}$ | $\$ 5.31$ $\$ 7.15$ $\$ 1.63$ |

