

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revised tariff sheets for underground residential distribution service, by Tampa Electric Company.

DOCKET NO. 090164-EI  
ORDER NO. PSC-09-0395-PCO-EI  
ISSUED: June 2, 2009

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman  
LISA POLAK EDGAR  
KATRINA J. McMURRIAN  
NANCY ARGENZIANO  
NATHAN A. SKOP

ORDER SUSPENDING REVISED UNDERGROUND RESIDENTIAL  
DISTRIBUTION SERVICE TARIFFS

BY THE COMMISSION:

On April 1, 2009, Tampa Electric Company (TECO) filed a petition to modify Tariff Sheet Nos. 5.510, 5.515, and 5.516 regarding construction and conversion of underground residential facilities. This filing addresses two things. First, TECO is complying with Rule 25-6.078(2), Florida Administrative Code (F.A.C.), which states that electric companies must file updated Underground Residential Distribution (URD) Service tariffs and supporting data at least once every three years.<sup>1</sup> Second, customers who opt to convert their overhead electric distribution system to underground facilities are required to pay TECO a Contribution in Aid of Construction (CIAC) charge, which represents the conversion costs incurred by TECO. In February 2007, Rule 25-6.115, F.A.C., was amended to require that the net present value of operational costs between underground and overhead systems be included in determining the CIAC paid by the customer.<sup>2</sup> The proposed tariff revisions for conversion of existing overhead facilities to underground installations are designed to implement the requirements of Rule 25-6.115(11)(a), F.A.C. TECO also proposed revisions to the binding cost estimate for designing conversion projects, as allowed under Rule 25-6.115(1), F.A.C. We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such increase a reason or written statement of good cause for doing so within 60 days. We find there is good cause consistent with the requirement of Section 366.06(3), F.S., to suspend the proposed tariff

<sup>1</sup> TECO's URD Service tariffs were last revised in 2006. See Order No. PSC-06-0873-TRF-EI, issued October 23, 2006 in Docket No. 060299-EI, In Re: Petition for approval of revised tariff sheets for Underground residential distribution service, by Tampa Electric Company.

<sup>2</sup> See Order No. PSC-07-0043-FOF-EU, issued January 16, 2007, in Docket No. 060172-EU, In Re: Proposed rules governing placement of new electric distribution facilities underground, and conversion of existing overhead distribution facilities to underground facilities, to address effects of extreme weather events.

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revisions in order 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.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Tampa Electric Company's revised Tariff Sheet Nos. 5.510, 5.515, and 5.516 regarding construction and conversion of underground residential facilities shall be suspended. It is further

ORDERED that this docket shall remain open pending our vote on the proposed tariff revisions.

By ORDER of the Florida Public Service Commission this 2nd day of June, 2009.

  
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ANN COLE  
Commission Clerk

( S E A L )

ELS

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.