

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

## -M-E-M-O-R-A-N-D-U-M-

**DATE:** March 4, 2010

**TO:** Office of Commission Clerk (Cole)

**FROM:** Division of Regulatory Analysis (Gilbert)  
Division of Economic Regulation (Roberts)  
Office of the General Counsel (Brown)

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*[Handwritten initials]*

**RE:** Docket No. 100043-EQ – Petition for approval of revisions to tariff interconnection agreements by Tampa Electric Company.

**AGENDA:** 03/16/10 – Regular Agenda – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Administrative

**CRITICAL DATES:** 03/22/10 (60-Day Suspension Date)

**SPECIAL INSTRUCTIONS:** None

**FILE NAME AND LOCATION:** S:\PSC\RAD\WP\100043.RCM.DOC

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COMMISSION CLERK

### Case Background

On January 21, 2010, Tampa Electric Company (TECO) filed a petition for approval of revisions to the insurance and indemnification sections of its interconnection agreements for non-export parallel operators and Tier 1, Tier 2, and Tier 3 renewable generators, and associated tariff sheets number 8.1015 – 8.1130. The standard interconnection agreement for non-export parallel operators was approved by Order No. PSC-08-0658-TRF-EI, issued October 7, 2008, in Docket No. 080254-EI, In re: Petition for approval of standard interconnection agreement for non-export, parallel operators, by Tampa Electric Company. On May 7, 2008, TECO petitioned for approval of standard interconnection agreements for expedited interconnection of customer-owned renewable generation and associated net metering tariff, which was approved by Order

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Docket No. 100043-EQ  
Date: March 4, 2010

No. PSC-08-0624-TRF-EI, issued September 24, 2008.<sup>1</sup> The proposed amendments requested are intended to allow customers to: (1) self-insure as an alternative to the insurance requirement; (2) provide a degree of flexibility for affected customers to self-insure; and (3) add fairness and symmetry to the indemnity portion of the agreement.

The Commission has jurisdiction over this matter pursuant to Sections 366.04, 366.05, 366.81, 366.82, 366.91, and 366.92, Florida Statutes (F.S.)

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<sup>1</sup> In Docket Nos. 080255-EI, In re: Petition for approval of standard interconnection agreements for expedited interconnection of customer-owned renewable generation and associated net metering tariff, by Tampa Electric Company; 080257-EI, In re: Petition for approval of net metering tariff, new interconnection agreements, and modification of various related tariff sheets, by Progress Energy Florida, Inc.; 080260-EI, In re: Petition for approval of standard interconnection agreements for Tier 1 through Tier 3 customer-owned renewable generation systems and revisions to tariff sheets iv, 4.2, 4.16, and 9.1, by Gulf Power Company; and 080265-EI, In re: Petition for approval of net metering tariff and standard interconnection agreements, by Florida Power & Light Company. Docket No. 080294-EI, In re: Petition for approval of standard interconnection agreements for customer-owned renewable generation systems, by Florida Public Utilities Company.

Docket No. 100043-EQ

Date: March 4, 2010

**Issue 1:** Should the Commission suspend TECO's proposed standard interconnection agreement for non-export, parallel operators and associated tariffs?

**Recommendation:** Yes. (L Gilbert)

**Staff Analysis:** Pursuant to Section 366.06(3), F.S., the Commission may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such approval, within 60 days, a reason or written statement of good cause for withholding its consent. Staff recommends that the tariff be suspended. Suspending the tariff will allow staff adequate time to review the standard interconnection agreement and associated tariff so that staff can bring back a fully informed recommendation for the Commission's review. Staff believes that this reason constitutes good cause consistent with the requirement of Section 366.06(3), F.S.

Docket No. 100043-EQ

Date: March 4, 2010

**Issue 2:** Should this docket be closed?

**Recommendation:** No. If the Commission approves Issue 1, the docket should remain open to allow staff adequate time to review the filing and bring a recommendation back to the Commission on the merits of the filing. (M. Brown)

**Staff Analysis:** This docket should remain open pending the Commission's final decision on the proposed tariff revision.