

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revisions to tariff interconnection agreements by Tampa Electric Company.

DOCKET NO. 100043-EQ
ORDER NO. PSC-10-0435-TRF-EQ
ISSUED: July 7, 2010

The following Commissioners participated in the disposition of this matter:

NANCY ARGENZIANO, Chairman
LISA POLAK EDGAR
NATHAN A. SKOP

ORDER APPROVING REVISIONS TO STANDARD INTERCONNECTION AGREEMENTS FOR NON-EXPORT PARALLEL GENERATORS AND RENEWABLE GENERATORS

BY THE COMMISSION:

BACKGROUND

On January 21, 2010, Tampa Electric Company (TECO or Company) filed a petition for approval of revisions to its current standard interconnection agreements for non-export parallel operators, and Tier 1, Tier 2, and Tier 3 customer-owned renewable generators, with the associated tariff sheets 8.1015 – 8.1130.¹ The standard interconnection agreements are designed to provide customers a simplified method of interconnecting their electric generation systems in a low-cost, expedited manner. By Order No. PSC-10-0183-PCO-EQ, issued March 29, 2010, we suspended TECO's proposed tariff revisions while we reviewed them.

We have jurisdiction over this matter pursuant to Sections 366.04, 366.05, 366.81, 366.82, 366.91, and 366.92, Florida Statutes. Our decision to approve the proposed revisions is explained below.

DECISION

As provided under TECO's currently approved tariff for non-parallel operator agreements, customers are only required to sign an interconnection agreement if their backup generator will be operating in parallel with TECO's system. The standard interconnection agreements for Tier 1, Tier 2, and Tier 3 customer-owned renewable generation are intended to provide customers a simplified process to expedite the interconnection of their renewable

¹ We initially approved TECO's petition for approval of standard interconnection agreements for customer-owned renewable generation, by Order No. PSC-08-0624-TRF-EI, issued September 24, 2008, in Docket No. 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. We approved the Company's standard interconnection agreement for non-export parallel operators 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.

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generation in order to take advantage of net metering permitted by our Rule 25-6.065, Florida Administrative Code (F.A.C). Customer Standard Interconnection Agreements are defined in Rule 25-6.065(4) 2, F.A.C. as Tier 1 generators rated at 10kW or less; Tier 2 generators rated greater than 10kW, and less than or equal to 100kW; or Tier 3 generators rated greater than 100kW and less than or equal to 2000kW.

The proposed revisions to TECO's tariffs will clarify the indemnity portion of the agreement by adding "claims" to its indemnification of "liability, loss, damage, cost, or expenses." TECO has added "claims" to the list for both the customer's and Company's indemnity obligation to make clear that the indemnification attaches at the point of a claim. To date, TECO has not filed a claim, nor has a claim been filed against the Company. Also, TECO proposes to include in the indemnity portions of each standard interconnection agreement language that would indemnify subsidiaries, affiliates, employees, officers and directors of both the customer and the Company. This proposed revision will provide an additional level of flexibility and protection to both the customer and the Company.

TECO also proposes to allow customers with non-export parallel operator and Tier 2 and Tier 3 customer-owned renewable generation standard interconnection agreements to self-insure equipment and liability, upon approval by the Company. According to information provided by TECO, customers must provide proof of sufficient capital to insure any loss, liability, damage, claims or expenses while operating their power generating equipment. The proposed tariff amendments provide an additional degree of flexibility allowing customers to self-insure, and they add fairness to the indemnity portion of the agreement. TECO currently has 49 non-parallel operator facilities connected for 5 different customers. Some of these customers have requested the opportunity to self-insure, and are awaiting the approval of this petition. With our approval, TECO will notify all non-export parallel operators and Tier 2 and Tier 3 customers with standard interconnection agreements of their option to self-insure.

During the course of our review, TECO updated its tariff and will notify a customer within 30 days of receipt of a self-insurance request whether TECO will accept it, thus providing the customer a time certain to receive a response.

We approve TECO's petition. The tariff revisions shall be effective as of June 15, 2010. The proposed revisions to the tariffs and standard interconnection agreements will promote the use of alternative and renewable generation by allowing customers an additional method with which to indemnify and insure their equipment.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition for approval of revisions to tariff interconnection agreements by Tampa Electric Company is approved, effective June 15, 2010. It is further


ORDERED that if a protest is filed within 21 days of issuance of the Order, the tariffs shall remain in effect with any charges held subject to refund pending resolution of the protest.

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Potential signatories to the tariffs should be aware that TECO's tariff may be subject to a request for hearing, and if a hearing is held, may subsequently be revised. It is further

ORDERED that if no timely protest is filed, this docket shall be closed upon the issuance of a Consummating Order.

By ORDER of the Florida Public Service Commission this 7th day of July, 2010.



ANN COLE
Commission Clerk

(S E A L)

MCB

NOTICE OF FURTHER PROCEEDINGS

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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the proposed action files a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on July 28, 2010.

In the absence of such a petition, this Order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.