

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery  
clause with generating performance incentive  
factor.

DOCKET NO. 170001-EI  
ORDER NO. PSC-17-0134-PCO-EI  
ISSUED: April 13, 2017

FIRST ORDER REVISING ORDER ESTABLISHING PROCEDURE

Order No. PSC-17-0053-PCO-EI (Initial Procedural Order), issued on February 20, 2017, established hearing procedures and controlling dates governing the annual Fuel and Purchased Power Cost Recovery Clause docket. An administrative hearing is set for October 25-27, 2017.

Docket No. 170057-EI was established to analyze and adopt a policy regarding electric investor-owned utilities' hedging practices. Two issues were addressed in Commission staff's recommendation in that docket filed on March 27, 2017: whether it was in the consumers' best interest for the utilities to continue natural gas financial hedging activities and, if so, what changes, if any, should be made to the manner in which electric utilities conduct their natural gas financial hedging activities. On April 4, 2017, the Commission voted to set these issues directly for hearing on September 27 and 28, 2017. The Commission also voted that Duke Energy Florida, LLC and Tampa Electric Company would not have to file 2018 Risk Management Plans which has the practical effect of continuing the hedging moratorium currently in place for those utilities until a decision is reached in Docket No. 170057-EI.<sup>1</sup>

For these reasons, paragraph (5) is hereby deleted from Section IX of the Initial Procedural Order. All other dates and filing requirements within the Initial Procedural Order shall remain unchanged.

Based on the foregoing, it is

ORDERED by Commissioner Ronald A. Brisé, as Prehearing Officer, that Order No. PSC-17-0053-PCO-EI is modified as stated in the body of this order. It is further

ORDERED that Order No. PSC-17-0053-PCO-EI is reaffirmed in all other respects.

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<sup>1</sup> Florida Power & Light Company and Gulf Power Company have both entered into Settlement Agreements which prohibit them from engaging in natural gas hedging until December 31, 2020. Order No. PSC-16-0560-AS-EI, issued on December 15, 2016, in Docket No. 160021-EI, In re: Petition for rate increase by Florida Power & Light Company, et al.; Document No. 03681-17, filed on March 20, 2017 in Docket No. 160186-EI, In re: Petition for rate increase by Gulf Power Company.

By ORDER of Commissioner Ronald A. Brisé, as Prehearing Officer, this 13th day  
of April, 2017.



RONALD A. BRISÉ  
Commissioner and Prehearing Officer  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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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 25-22.0376, 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.