

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for determination under Rule 25-6.115, F.A.C., and approval of associated revised tariff sheet 6.300, by Florida Power & Light Company.

DOCKET NO. 20170148-EI  
ORDER NO. PSC-2017-0316-PCO-EI  
ISSUED: August 8, 2017

The following Commissioners participated in the disposition of this matter:

JULIE I. BROWN, Chairman  
ART GRAHAM  
RONALD A. BRISÉ  
DONALD J. POLMANN

ORDER SUSPENDING FLORIDA POWER & LIGHT  
COMPANY'S REVISED TARIFF SHEET 6.300

BY THE COMMISSION:

BACKGROUND

On June 23, 2017, Florida Power & Light Company (FPL) filed a petition for approval for a determination under Rule 25-6.115(12), Florida Administrative Code (F.A.C.), that FPL may, under defined circumstances, exclude the applicants' underground conversion contribution in aid of construction (CIAC) amount as specified in Rule 25-6.115(8)(b), F.A.C.

Rule 25-6.115, F.A.C., and FPL's tariff provide the terms under which applicants are to pay a CIAC for the conversion of existing overhead distribution facilities to underground. FPL tariff sheet 6.300 provides the formula for the calculation of the CIAC. One component of the CIAC calculation is specified in paragraph (8)(b) of the rule and requires FPL to recover the value of the existing facilities (net book value of facilities minus their estimated salvage value) from the applicant. Paragraph (12) of the rule allows a utility to waive all or any portion of the cost for providing underground facilities. If the utility waives any charge, the utility is required to reduce net plant in service unless we determine that there is a quantifiable benefit to the general body of ratepayers commensurate with the waived charge.

FPL requests that we determine that there are quantifiable benefits to the general body of ratepayers from the exclusion of the existing non-storm hardened facilities cost from the CIAC calculation for underground conversions and seeks approval of its revised tariff sheet 6.300. We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

DECISION

Pursuant to Section 366.06(3), F.S., this Commission may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such a change, a reason, or written statement of a good cause for doing so within 60 days. We find that additional time is required for Commission staff to thoroughly review the petition and gather all pertinent information for our consideration in determining whether it is in the general body of

ratepayers' best interest for a portion of the cost for providing underground facilities to be waived as requested by FPL.

Based on the above, it is

ORDERED by the Florida Public Service Commission that Florida Power & Light Company's revisions to Tariff Sheet No. 6.300 are suspended pending further review. It is further

ORDERED that this docket shall remain open pending this Commission's decision on the proposed revisions to Tariff Sheet No. 6.300.

By ORDER of the Florida Public Service Commission this 8th day of August, 2017.



CARLOTTA S. STAUFFER

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

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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.

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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.