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June 28, 2018

VIA E-PORTAL FILING

Ms. Carlotta S. Stauffer
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 20180004-GU – Natural gas conservation cost recovery

Dear Ms. Stauffer:

Enclosed for filing in the above docket on behalf of Peoples Gas System (“Peoples”) is a Petition for Waiver of Rule 25-17.015(1)(b), F.A.C.

Thank you for your assistance.

Sincerely,


Andrew M. Brown

AB/plb
Attachment

cc: Parties of Record
Ansley Watson, Jr., Esq.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Natural gas conservation cost recovery.)
)
)
_____)

Docket No. 20180004-GU

Submitted for Filing:
June 28, 2018

PETITION FOR WAIVER OF RULE 25-17.015(1)(b), F.A.C.

Public Utility Peoples Gas System, a division of Tampa Electric Company (“Peoples”), hereby petitions the Florida Public Service Commission (“Commission”), pursuant to Section 120.542, Florida Statutes and Rule 28-104.002, F.A.C., for a waiver of Rule 25-17.015(1)(b), Florida Administrative Code, and as grounds therefor, says:

1. Rule 25-17.015(1)(b) calls for the filing of an annual estimated/actual true-up filing showing eight months actual and four months projected common costs, individual program costs, and any revenues collected. The subject Rule is implementing provisions within Chapter 366, Florida Statutes, specifically including Sections 366.80-366.85, Florida Statutes.

2. Given the due date for the actual/estimated true-up filing of August 10, 2018, it is not possible for Peoples to prepare its actual/estimated filings based on eight months of actual and four months of projected data. Peoples can prepare its filings on the basis of six months of actuals and six months of projections. Accordingly, Peoples requests a waiver of the rule to allow their filings to be based on six months of actual and six months of projected data.

3. Section 120.542(2), Florida Statutes, provides that variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness. Peoples believes that filings based on six months of actual and six months of projected data are a reasonable means of

achieving the purpose of the statutes implemented by Rule 25-17.015(1)(b), Florida Administrative Code. Further, Peoples submits that the impossibility of submitting its filings on the basis of eight months of actual data and four months of projected data by the due date called for in this docket creates a substantial hardship.

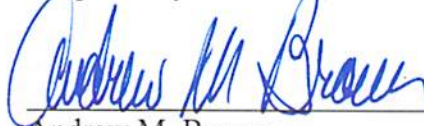
4. Peoples understands that a rule change regarding Rule 25-17.015(1)(b), Florida Administrative Code may be proposed. Accordingly, Peoples asks that the requested waiver be granted for a period of two years, covering the upcoming August filing and the same filing next year, in order to allow time for the rulemaking proceeding to be completed.

5. Peoples is not aware of any disputed issues of material fact regarding the matters addressed or the relief requested in this petition.

WHEREFORE, Peoples respectfully requests a two-year waiver of Rule 25-17.015(1)(b), Florida Administrative Code, to allow it to submit its conservation cost recovery filings on the basis of six months of actual and six months of projected data.

DATED this 28th day of June, 2018.

Respectfully submitted,



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Attorneys for Peoples Gas System

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition for Rule Waiver, filed on behalf of Peoples, has been furnished electronically, this 28th day of June 2018 to the following:

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