

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revised tariffs for underground residential distribution and contribution-in-aid-of-construction, by Tampa Electric Company.

DOCKET NO. 120073-EI
ORDER NO. PSC-12-0293-PCO-EI
ISSUED: June 6, 2012

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

BACKGROUND

On April 2, 2012, Tampa Electric Company (TECO) filed a petition for Commission approval of revision to its Underground Residential Distribution (URD) Tariff Sheet Nos. 5.100, 5.105, 5.106, 5.110, 5.175, 5.181, 5.220, 5.230, 5.250, 5.350, 5.370, 5.400, 5.420, 5.470, 5.510-, 5.515, and 5.516. The URD tariffs apply to new residential developments and represent the additional costs TECO incurs to provide underground distribution service in place of overhead service.

Rule 25-6.078, Florida Administrative Code (F.A.C.), requires investor-owned electric utilities (IOUs) to file updated URD charges for our approval at least every three years, or sooner if a utility's underground cost differential for the standard low-density subdivision varies from the last approved charge by 10 percent or more.

We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

SUSPENSION OF FINAL RATES

Pursuant to Section 366.06(3), Florida Statutes (F.S.), we may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such increase a reason or written statement of good cause for doing so within 60 days. We find that the reason stated below is good cause consistent with the requirement of Section 366.03(3), F.S.

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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.

The tariff shall be suspended to allow staff sufficient time to review the petition and gather all pertinent information in order to present us with an informed recommendation on the tariff proposal.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the tariff revisions requested by Tampa Electric Company are hereby suspended in accordance with Section 366.06(3), Florida Statutes. It is further

ORDERED that this docket shall remain open pending our final action on Tampa Electric Company's proposed tariff revisions.

By ORDER of the Florida Public Service Commission this 6th day of June, 2012.



ANN COLE
Commission Clerk
Florida Public Service Commission
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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.