

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of optional electric vehicle public charging pilot tariffs, by Florida Power & Light Company.

DOCKET NO. 20200170-EI
ORDER NO. PSC-2020-0398-PCO-EI
ISSUED: October 26, 2020

The following Commissioners participated in the disposition of this matter:

GARY F. CLARK, Chairman
ART GRAHAM
JULIE I. BROWN
DONALD J. POLMANN
ANDREW GILES FAY

ORDER SUSPENDING FLORIDA POWER & LIGHT COMPANY'S TARIFF

BY THE COMMISSION:

Background

On June 19, 2020, Florida Power & Light Company (FPL or utility) filed a petition requesting approval of three optional electric vehicle (EV) public charging pilot tariffs. The first tariff, Utility-Owned Public Charging for Electric Vehicles (Rate Schedule UEV), would establish a charging rate for utility-owned direct current fast charging stations. The second set of tariffs, Electric Vehicle Charging Infrastructure Riders for General Service Demand and General Service Large Demand (Rate Schedules GSD-1EV and GSLD-1EV), would establish a rate for competitive market charging stations operating in FPL's service area. This rate would implement a threshold on the demand charge associated with the general service rates. The utility requests for these rates to take effect in January 2021.

On June 26, 2020, FPL waived the 60-day file and suspend provision pursuant to Section 366.06(3), Florida Statutes (F.S.), until the September 1, 2020 Agenda Conference. After further discussion with Commission staff, on July 17, 2020, the utility extended the 60-day file and suspend provision until the October 6, 2020 Agenda Conference. There are eleven interested persons in this docket.¹

Commission staff has issued three data requests. Staff issued a first data request on July 20, 2020, with responses provided by the utility on August 3, 2020, and a second data request on September 3, 2020, with responses provided on August 10, 2020. Commission staff's third data request was issued on September 18, 2020, with responses due on October 2, 2020.

¹ The interested persons are: Walmart, Inc.; Tesla, Inc.; Southern Alliance for Clean Energy; Sierra Club; Rivian; the Office of Public Counsel; Florida Solar Energy Center; EVgo; Electrify America, LLC; Drive Electric Florida; and Central Florida Clean Cities Coalition.

This Order addresses the suspension of FPL's proposed pilot tariffs in order to provide sufficient time for review. We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, F.S.

Decision

FPL's petition to establish rates for EV charging stations is the first request of this type to be considered by this Commission. As such, there are a number of factors to consider when evaluating the proposed tariffs. We find it appropriate to suspend the tariffs to allow Commission staff additional time to review the petition and gather all pertinent information in order to present us with an informed recommendation on the tariff proposals.

Pursuant to Section 366.06(3), 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 a change a reason or written statement of good cause for doing so within 60 days. We find that the facts set forth above constitute good cause consistent with the requirement of Section 366.06(3), F.S., and prior practice of the Commission.²

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Power & Light Company's three proposed optional electric vehicle public charging pilot tariffs are suspended. It is further

ORDERED that the docket shall remain open pending our final action on FPL's requested approval of the three proposed pilot EV tariffs.

² Order PSC-17-0193-PCO-EI, issued May 5, 2019, in Docket No. 170074-EI, *In re: Petition for approval of 2017 revisions to underground residential distribution tariffs, by Gulf Power Company.*

By ORDER of the Florida Public Service Commission this 26th day of October, 2020.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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

SPS

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.