

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 29, 2021

TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

FROM: Shaw Stiller, Senior Attorney, Office of the General Counsel *SPS*

RE: 20200092-EI - Storm protection plan cost recovery clause.

On March 3, 2020, the following dockets were opened to facilitate Commission review of the initial Storm Protection Plans (SPP) for each of the investor-owned electric utilities that are subject to the requirements of Section 366.96, F.S.:

- Docket No. 20200067-EI – Tampa Electric Company (TECO) SPP docket
- Docket No. 20200068-EI – Florida Public Utilities Company (FPUC) SPP docket
- Docket No. 20200069-EI – Duke Energy Florida, LLC (DEF) SPP docket
- Docket No. 20200070-EI – Gulf Power Company (Gulf) SPP docket
- Docket No. 20200071-EI – Florida Power & Light Company (FPL) SPP docket

On March 13, 2020, the Commission opened Docket No. 20200092-EI as the companion cost recovery clause (CRC) docket to the above SPP dockets. TECO, FPUC, DEF, Gulf, and FPL were made the initial parties to the SPPCRC docket. The Office of Public Counsel (OPC), Walmart, the Florida Industrial Power Users Group (FIPUG), and White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (PCS), each filed for and was granted intervention in Docket No. 20200092-EI.

By Order No. PSC-2020-0097-PCO-EI, issued on April 6, 2020, the Prehearing Officer granted FPUC’s request that it be allowed to defer the filing of its first SPP for a period of one year, from April 10, 2020, to April 10, 2021. The remaining four investor-owned utilities entered into a series of settlement agreements with the intervening parties that resolved all disputed issues in the individual SPP dockets and the SPPCRC docket.¹ These settlement agreements were approved by the Commission, as reflected in Order Nos. PSC-2020-0293-AS-EI, PSC-20200410-AS-EI, and PSC-2020.410-AS-EI. In each of these Orders, the Commission directed that Docket No. 20200092-EI remain open.

On January 4, 2021, a Request to Establish Docket was submitted with the following directions: “This is a rollover docket. Please designate 20210010 as the Storm Protection Plan

¹ The parties to TECO’s settlement agreement in Docket No. 20200067-EI are OPC, Walmart, and FIPUG. The parties to DEF’s settlement agreement in Docket No. 20200069-EI are OPC, Walmart, and PCS. The parties to the Gulf (Docket No. 20200070-EI) and FPL (Docket No. 20200071-EI) settlement agreements are OPC and Walmart.

Cost Recovery Docket.” TECO, FPUC, DEF, Gulf, and FPL were made the initial parties to the 2021 SPPCRC docket. The Request did not contain any direction regarding Docket No. 20200092-EI.

The other annual dockets were rolled over from 2020 to 2021 by individual “Order[s] Establishing 2021 Docket Number.” Each of those Orders was accompanied by a clerk’s office note that the accompanying 2020 docket “will be closed on issuance of this order.”

Because Docket No. 20210010-EI has been established and designated as the rollover SPPCRC docket for 2021, Docket No. 20200092-EI should be closed. There are no outstanding matters to be addressed in Docket No. 20200092-EI.