

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: September 25, 2025

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Economics (Guffey, Nguyen, Ward) *JD*
Office of the General Counsel (Thompson) *JSC*

RE: Docket No. 20250113-EI – Petition for a limited proceeding to approve large load tariff, by Duke Energy Florida, LLC.

AGENDA: 10/07/25 – Regular Agenda – Tariff Suspension – Participation is at the Commission's Discretion

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: 11/05/25 (60-Day Suspension Date)

SPECIAL INSTRUCTIONS: None

Case Background

On September 5, 2025, Duke Energy Florida, LLC (DEF or utility) filed a petition for a limited proceeding to approve a new Large Load Customer (LLC-1) rate schedule, Large Load Customer Policy (LLCP), Large Load Customer Agreement (LLCA), and revised Contribution in Aid of Construction (CIAC) tariff. DEF's petition and testimony assert that these proposed tariffs are needed for the utility to be responsive to recent trends in nationwide growth and demand for service by large load customers such as data centers and asserts that the proposed new provisions will provide protections to DEF's existing and future customers.

Specifically, DEF proposed a new customer class and an optional rate schedule LLC-1, applicable to large load customers with a billing demand of 1,000 kilowatts (kW) or more and requesting transmission level service. The proposed rates contained in the LLC-1 were derived

from DEF's most recent 2025 cost of service study approved as part of its 2024 rate case settlement.¹

Additionally, all large load customers with a peak contract demand forecast to be equal or greater than a monthly maximum demand of 100,000 kW of firm load would be subject to the proposed LLCP and must execute an LLCA.

The LLCP and associated LLCA establish a minimum contract term, minimum monthly bill provisions, security requirements, and early termination provisions. Customers subject to the LLCP must also pay a non-refundable system impact fee. Finally, the LLCP contains a CIAC provision allowing DEF at its discretion depending on the nature of the load to require customers to pay up to 100 percent of the total estimated costs to extend service in advance. DEF requests that the proposed tariffs become effective in January 2028.

This is staff's recommendation to suspend the proposed tariffs. The Commission has jurisdiction over this matter pursuant to Sections 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

¹ Order No. PSC-2024-0472-AS-EI, issued November 12, 2024, in Docket No. 20240025-EI, *In re: Petition for rate increase by Duke Energy Florida, LLC*.

Discussion of Issues

Issue 1: Should the Commission suspend DEF's proposed request for approval of its new Large Load Customer (LLC-1) rate schedule, Large Load Customer Policy (LLCP), Large Load Customer Agreement (LLCA), and revised Contribution in Aid of Construction (CIAC) tariff?

Recommendation: Yes. Staff recommends that DEF's proposed request for approval of its new LLC-1 rate schedule, LLCP, LLCA, and revised CIAC tariff be suspended to allow staff sufficient time to review the petition and gather all pertinent information in order to present the Commission with an informed recommendation on the proposed tariff modifications. (Guffey, Ward, Nguyen)

Staff Analysis: Staff recommends that DEF's proposed request for approval of its new LLC-1 rate schedule, LLCP, LLCA, and revised CIAC tariff be suspended to allow staff sufficient time to review the petition and gather all pertinent information in order to present the Commission with an informed recommendation on the proposed tariff modifications.

Pursuant to Section 366.06(3), F.S., the Commission may withhold consent to the operation of all or any portion of the new rate schedules, delivering to the utility requesting such a change, a reason, or written statement of a good cause for doing so within 60 days. Staff believes that the reason stated above is a good cause consistent with the requirement of Section 366.06(3), F.S.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending the Commission decision on DEF's proposed request for approval of its new LLC-1 rate schedule, LLCP, LLCA, and revised CIAC tariff. (Thompson)

Staff Analysis: This docket should remain open pending the Commission decision on DEF's proposed request for approval of its new LLC-1 rate schedule, LLCP, LLCA, and revised CIAC tariff.