

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revised  
underground residential distribution tariffs, by  
Duke Energy Florida, LLC.

DOCKET NO. 20230043-EI  
ORDER NO. PSC-2023-0168-PCO-EI  
ISSUED: May 22, 2023

The following Commissioners participated in the disposition of this matter:

ANDREW GILES FAY, Chairman  
ART GRAHAM  
GARY F. CLARK  
MIKE LA ROSA  
GABRIELLA PASSIDOMO

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Background

On March 31, 2023, Duke Energy Florida, LLC (DEF) filed a petition for approval of revisions to its underground residential differential tariffs (URD) and associated charges. These tariffs represent the estimated additional cost, if any, DEF incurs to provide underground service in place of overhead service in new residential subdivisions. Specifically, DEF is proposing revised URD charges reflecting changes in cost differentials between overhead and underground services. In addition, DEF states that higher material and labor costs are increasing for both overhead and underground construction estimates, but more so for underground construction.

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

Decision

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. Commission staff has stated it needs additional time to review the petition and gather all pertinent information in order to present us with an informed recommendation on the tariff proposals. We find this reason to constitute good cause consistent with the requirement of Section 366.06(3), F.S.

Received by: Clerk the BCC 5/22/2023 mf  
c: County Mayor  
Commissioner Districts 2, 3 & 6 only  
County Administrator  
Chief Sustainability Officer Carrie Black  
Utilities Department Director Ed Torres  
Senior Executive Assistant Teaire Lenard

ORDER NO. PSC-2023-0168-PCO-EI  
DOCKET NO. 20230043-EI  
PAGE 2

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Duke Energy Florida, LLC.'s underground residential differential tariffs are suspended. It is further

ORDERED that the docket shall remain open pending our final action on the requested approval of the underground residential distribution tariffs.

By ORDER of the Florida Public Service Commission this 22nd day of May, 2023.



---

ADAM J. TEITZMAN  
Commission Clerk

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
[www.floridapsc.com](http://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.

AAW

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.