

BCC Mtg. Date: June 6, 2017

# Fax

## FACSIMILE

**Date:** 5/11/2017

**To:** Clerk, Board of County Commissioners, Orange County  
**From:** Office of Commission Clerk

**Subject:**

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Received by: Clerk of BCC May 11, 2017 CAS  
c: County Mayor  
Commissioner Districts 1, 2, 3 & 6 only  
County Administrator  
Utilities Department Director Ray Hanson

ACCEPTED FOR FILING BY  
THE BOARD OF COUNTY  
COMMISSIONERS AT ITS  
MEETING ON

FILED MAY 11, 2017  
DOCUMENT NO. 04777-17  
FPSC - COMMISSION CLERK

BCC Mtg. Date: June 6, 2017

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 170069-EI  
ORDER NO. PSC-17-0166-PCO-EI  
ISSUED: May 11, 2017

The following Commissioners participated in the disposition of this matter:

JULIE I. BROWN, Chairman  
ART GRAHAM  
RONALD A. BRISÉ  
JIMMY PATRONIS  
DONALD J. POLMANN

ORDER SUSPENDING DUKE ENERGY FLORIDA, LLC'S PETITION FOR APPROVAL  
OF REVISED UNDERGROUND RESIDENTIAL DISTRIBUTION TARIFF SHEETS

BY THE COMMISSION:

Background

On March 30, 2017, Duke Energy Florida, LLC (Duke) filed a petition for approval of its revised underground residential distribution (URD) tariffs. URD tariffs reflect the additional costs Duke incurs to provide underground distribution service in place of overhead service, and are paid by the customer as a contribution-in-aid-of-construction. Duke's current charges were approved in Order No. PSC-14-0396-TRF-EI.<sup>1</sup> This Order suspends the proposed tariff revisions. We have jurisdiction over this matter pursuant to Section 366.06, Florida Statutes (F.S.).

Decision

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

Pursuant to Section 366.06(3), F.S., this Commission 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 above is good cause consistent with the requirement of Section 366.06(3), F.S.

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<sup>1</sup> Order No. PSC-14-0396-TRF-EI, issued July 31, 2014, in Docket No. 140067-EI, In re: Petition for approval of revised underground distribution tariffs, by Duke Energy Florida, Inc.

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Duke Energy Florida, LLC's proposed revised underground residential distribution tariffs are suspended pending further review. It is further

ORDERED that this docket shall remain open pending this Commission's decision on the proposed tariff revisions.

By ORDER of the Florida Public Service Commission this 11th day of May, 2017.



HONG WANG  
Chief Deputy 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.

MAD

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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.

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.