FILED SEP 04, 2013 DOCUMENT NO. 05261-13 FPSC - COMMISSION CLERK

AUSLEY & MCMULLEN

ATTORNEYS AND COUNSELORS AT LAW

P.O. BOX 391 (ZIP 32302)

TALLAHASSEE, FLORIDA 32301

(850) 224-9115 FAX (850) 222-7560

September 4, 2013

HAND DELIVERED

Ms. Ann Cole, Director Office of Commission Clerk Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399-0850

Re: Petition for Rate Increase by Tampa Electric Company

FPSC Docket No. 130040-EI

Dear Ms. Cole:

Enclosed for filing in the above docket are the original and fifteen (15) copies of Tampa Electric Company's Motion to Hold Case in Abeyance.

Please acknowledge receipt and filing of the above by stamping the duplicate copy of this letter and returning same to this writer.

Thank you for your assistance in connection with this matter.

Sincerely,

James D. Beasley

JDB/pp Enclosure

cc:

All Parties of Record (w/enc.)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rate Increase)	DOCKET NO. 130040-EI
by Tampa Electric Company.)	
)	FILED: September 4, 2013

TAMPA ELECTRIC COMPANY'S MOTION TO HOLD CASE IN ABEYANCE

Tampa Electric Company ("Tampa Electric" or "the company") moves the Florida Public Service Commission ("the Commission") for entry of an order holding in abeyance Tampa Electric's Petition in this proceeding and, as grounds therefor, says:

- On April 5, 2013 Tampa Electric filed its Petition in this proceeding requesting a
 permanent increase in its base rates and miscellaneous service charges of approximately \$134.8
 million effective January 1, 2014 based on a 2014 projected test year.
- 2. Following the April 5, 2013 filing, the Office of Public Counsel ("OPC") filed an intervention and the Florida Industrial Power Users Group ("FIPUG"), Florida Retail Federation ("FRF"), the Federal Executive Agencies ("FEA") and the WCF Hospital Utility Alliance ("HUA") were authorized to intervene.
- The parties have filed voluminous prepared testimonies and accompanying exhibits and conducted extensive discovery over several months leading up to the technical hearings now set to commence on September 9, 2013.
- 4. Tampa Electric and all of the Intervenors have undertaken extensive discussions to resolve the issues raised in this proceeding so as to maintain a degree of stability and predictability with respect to Tampa Electric's base rates and charges. On September 3, 2013 Tampa Electric and all of the Intervenors reached an agreement in principle which, once reduced to writing and

presented to the Commission, and if approved by the Commission, will resolve all outstanding issues to be considered and resolved by the Commission in this proceeding.

- 5. In order to allow Tampa Electric and the Intervenors an opportunity to prepare and submit their settlement agreement for the Commission's consideration, Tampa Electric hereby requests that this proceeding be held in abeyance and that all witnesses be excused from attending the hearing scheduled to convene on September 9, 2013. Tampa Electric is authorized to represent to the Commission that OPC, FIPUG, FRF, FEA and HUA join in this request to hold the proceeding in abeyance. Tampa Electric urges the Commission to consider convening the hearing as noticed on September 9 for the limited purpose of receiving into evidence witnesses' pre-filed testimonies and exhibits, including minimum filing requirements, identified in the Prehearing Order. The Commission could then recess the hearing, to be reconvened on a subsequent date certain as soon as practicable, to take up the Joint Motion and the Stipulation and Settlement Agreement.
- 6. If this Motion is granted, Tampa Electric and the Intervenors will forthwith present to the Commission, hopefully by Friday, September 6, a written stipulation and settlement agreement together with a joint motion for approval of same. The agreement in principle contemplates base rate changes effective November 1, 2013, so approval of the Settlement Agreement as soon as reasonably possible after its filing is essential so the company can provide notices to customers as required. Although the Parties will defer to the Commission and its preference on scheduling, Tampa Electric and the Intervenors are hopeful the Commission will be able to promptly consider the joint motion for approval of the stipulation and settlement agreement.

WHEREFORE, Tampa Electric, with the concurrence of OPC, FIPUG, FRF, FEA and HUA, moves the Commission for entry of an order holding this proceeding in abeyance for the purposes outlined above.

DATED this 4 day of September 2013.

Respectfully submitted,

JAMES D. BEASLEY

J. JEFFRY WAHLEN

KENNETH R. HART

ASHLEY M. DANIELS

Ausley & McMullen

Post Office Box 391

Tallahassee, Florida 32302

(850) 224-9115

ATTORNEYS FOR TAMPA ELECTRIC COMPANY

CERTIFICATE OF SERVICE

Martha Barrera*and***
Martha Brown
Suzanne Brownless
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
mbarrera@psc.state.fl.us
mbrown@psc.state.fl.us

J. R. Kelly, Public Counsel*
Patricia G. Christensen
Associate Public Counsel
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street, Room 812
Tallahassee, FL 32399-1400
kelly.jr@leg.state.fl.us
christensen.patty@leg.state.fl.us

Jon C. Moyle, Jr.* Moyle Law Firm, P.A. The Perkins House 118 North Gadsden Street Tallahassee, FL 32301 jmoyle@moylelaw.com Robert Scheffel Wright*
John T. Lavia, III
Gardner, Bist, Wiener, Wadsworth, Bowden,
Bush, Dee, LaVia & Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308
schef@gbwlegal.com
jlavia@gbwlegal.com

Gregory J. Fike, Lt Col, USAF* AFLOA/JACL-ULFSC 139 Barnes Drive, Suite 1 Tyndall Air Force Base, Florida 32403 gregory.fike@tyndall.af.mil

Kenneth L. Wiseman*
Mark F. Sundback
Lisa M. Purdy
William M. Rappolt
Blake R. Urban
Andrews Kurth LLP
1350 I Street NW, Suite 1100
Washington, D. C. 20005
kwiseman@andrewskurth.com
msundback@andrewskurth.com
lpurdy@andrewskurth.com
wrappo lt@andrewskurth.com
burban@andrewskurth.com

ATTORNEY