

State of Florida



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** September 24, 2020

**TO:** Office of Commission Clerk (Teitzman)

**FROM:** Division of Economics (Coston) *JGH*  
Division of Accounting and Finance (Mouring) *ALM*  
Office of the General Counsel (Stiller, Crawford) *JSC*

**RE:** Docket No. 20200170-EI – Petition for approval of optional electric vehicle public charging pilot tariffs, by Florida Power & Light Company.

**AGENDA:** 10/06/20 – Regular Agenda – Tariff Filing – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Administrative

**CRITICAL DATES:** 10/06/20 (60-day file and suspend waiver provided by the utility until 10/06/20)

**SPECIAL INSTRUCTIONS:** None

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## Case Background

On June 19, 2020, Florida Power & Light Company (FPL or utility) filed a petition requesting approval of three optional electric vehicle (EV) public charging pilot tariffs. The first tariff, Utility-Owned Public Charging for Electric Vehicles (Rate Schedule UEV), would establish a charging rate for utility-owned direct current fast charging stations. The second set of tariffs, Electric Vehicle Charging Infrastructure Riders for General Service Demand and General Service Large Demand (Rate Schedules GSD-1EV and GSLD-1EV), would establish a rate for competitive market charging stations operating in FPL's service area. This rate would implement a threshold on the demand charge associated with the general service rates. The utility requests for these rates to take effect in January 2021.

On June 26, 2020, FPL waived the 60-day file and suspend provision pursuant to Section 366.06(3), Florida Statutes (F.S.), until the September 1, 2020 Agenda Conference. After further discussion with staff, on July 17, 2020, the utility extended the 60-day file and suspend provision until the October 6, 2020 Agenda Conference. There are eleven interested persons in this docket.<sup>1</sup>

Staff has currently issued three data requests. Staff's first data request was issued on July 20, 2020, with responses provided by the utility on August 3, 2020. Staff issued a second data request on September 3, 2020, with responses provided on August 10, 2020. Staff's third data request was issued on September 18, 2020, with responses due on October 2, 2020. This recommendation addresses the suspension of FPL's proposed pilot tariffs in order to provide sufficient time for review. The Commission has jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, F.S.

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<sup>1</sup> The interested persons are: Walmart, Inc.; Tesla, Inc.; Southern Alliance for Clean Energy; Sierra Club; Rivian; the Office of Public Counsel; Florida Solar Energy Center; EVgo; Electrify America, LLC; Drive Electric Florida; and Central Florida Clean Cities Coalition.

## Discussion of Issues

**Issue 1:** Should FPL's proposed optional electric vehicle public charging pilot tariffs be suspended?

**Recommendation:** Yes. Staff recommends that the tariffs 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 tariff proposals. (Coston)

**Staff Analysis:** FPL's petition to establish rates for EV charging stations is the first request of this type to be considered by the Commission. As such, there are a number of factors to consider when evaluating the proposed tariffs. Staff recommends that the tariffs be suspended to allow staff additional time to review the petition and gather all pertinent information in order to present the Commission with an informed recommendation on the tariff proposals.

Pursuant to Section 366.06(3), F.S., the Commission 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. The utility has extended the 60-day period until the October 6, 2020 Agenda Conference. Staff believes that the reason stated above is a good cause consistent with the requirement of Section 366.06(3), F.S., and prior practice of the Commission.<sup>2</sup>

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<sup>2</sup> Order PSC-17-0193-PCO-EI, issued May 5, 2019, in Docket No. 170074-EI, *In re: Petition for approval of 2017 revisions to underground residential distribution tariffs, by Gulf Power Company.*

**Issue 2:** Should the docket be closed?

**Recommendation:** No. This docket should remain open pending the Commission's decision on the proposed tariffs. (Stiller)

**Staff Analysis:** This docket should remain open pending the Commission's decision on the proposed tariffs.