

STATE OF FLORIDA



COMMISSIONERS:
GARY F. CLARK, CHAIRMAN
ART GRAHAM
JULIE I. BROWN
DONALD J. POLMANN
ANDREW GILES FAY

OFFICE OF COMMISSION CLERK
ADAM J. TEITZMAN
COMMISSION CLERK
(850) 413-6770

Public Service Commission

October 5, 2020

John A. Tomasino, Clerk
Florida Supreme Court
500 South Duval Street
Tallahassee, Florida, 32399

Re: Citizens of the State of Florida, through the Florida Office of Public Counsel vs. Florida Public Service Commission, PSC Docket No. 20200178-GU.

Dear Mr. Tomasino:

Enclosed please find a certified copy of a Notice of Administrative Appeal, which was filed with the Florida Public Service Commission on October 5, 2020, along with its attachment, Order No. PSC-2020-0305-PCO-GU. This appeal was filed on behalf of the Office of Public Counsel.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam J. Teitzman".

Adam J. Teitzman
Commission Clerk

AJT:cdr
Enclosure

cc:

Andrew M. Brown
J.R. Kelly
Mireille Fall-Fry
Paula Brown

Kandi M. Floyd
Hong Wang
Samantha Cibula
Shaw Stiller
Jennifer Crawford

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CLERK

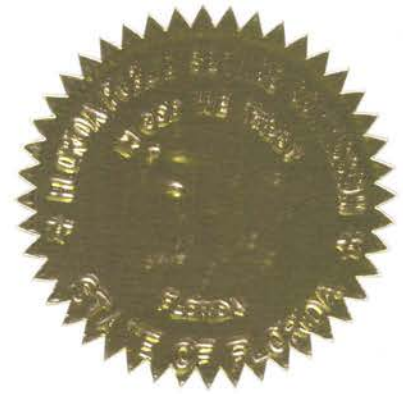
CITIZENS OF THE STATE OF)
FLORIDA, THROUGH THE)
FLORIDA OFFICE OF PUBLIC)
COUNSEL,)
Appellants,)
v.)
FLORIDA PUBLIC SERVICE)
COMMISSION,)
Appellee.)
_____)

IN THE FLORIDA PUBLIC
SERVICE COMMISSION
DOCKET No. 20200178-EI

NOTICE OF
ADMINISTRATIVE
APPEAL

NOTICE IS GIVEN that the Citizens of the State of Florida, Appellants, through the Office of Public Counsel, appeal to the Supreme Court of the State of Florida the order of the Florida Public Service Commission, Order No. PSC-2020-0305-PCO-GU, rendered on September 4, 2020. A copy of Order No. PSC-2020-0305-PCO-GU is attached to this NOTICE OF ADMINISTRATIVE APPEAL as Exhibit "A." The nature of the order is the Order Granting Petition to Track, Record as a Regulatory Asset to Record, and Defer Incremental Costs Resulting from the COVID-19 Pandemic for People's Gas System.

J.R. Kelly
Public Counsel
Florida Bar No. 0768359
kelly.jr@leg.state.fl.us



I CERTIFY THAT THIS IS A TRUE AND
CORRECT COPY OF THE ORIGINAL
DOCUMENT THAT WAS FILED WITH THE
FLORIDA PUBLIC SERVICE COMMISSION
BY: *Adam J. Teitzman*
ADAM J. TEITZMAN, COMMISSION CLERK
(or Office of Commission Clerk designee)

A. Mireille Fall-Fry

A. Mireille Fall-Fry

Associate Public Counsel

Florida Bar No. 758841

fall-fry.mireille@leg.state.fl.us

c/o The Florida Legislature

111 West Madison Street, Room 812

Tallahassee, FL 32399-1400

(850) 488-9330

Attorneys for Citizens of the
State of Florida

CERTIFICATE OF SERVICE
DOCKET NO. 20200178-GU

I **HEREBY CERTIFY** that a true and correct copy of the foregoing has been furnished by electronic mail on this 2nd day of October 2020, to the following:

Macfarlane Ferguson & McMullen
Andrew M. Brown, Esquire
Peoples Gas System
P.O. Box 1531
Tampa, Florida 33601
ab@macfar.com

Peoples Gas System
Paula K. Brown
Karen L. Bramley
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Florida Public Service Commission
Jennifer Crawford
Shaw Stiller
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sstiller@psc.state.fl.us

A. Mireille Fall-Fry
A. Mireille Fall-Fry
Associate Public Counsel


BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval to track, record as a regulatory asset, and defer incremental costs resulting from the COVID-19 pandemic, by Peoples Gas System.

DOCKET NO. 20200178-GU
ORDER NO. PSC-2020-0305-PCO-GU
ISSUED: September 4, 2020

The following Commissioners participated in the disposition of this matter:

GARY F. CLARK, Chairman
ART GRAHAM
JULIE I. BROWN
DONALD J. POLMANN
ANDREW GILES FAY

I CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL DOCUMENT THAT WAS FILED WITH THE FLORIDA PUBLIC SERVICE COMMISSION
BY: 
ADAM J. TEITZMAN, COMMISSION CLERK
(or Office of Commission Clerk designee)

ORDER GRANTING PETITION FOR APPROVAL TO TRACK, RECORD AS
A REGULATORY ASSET, AND DEFER INCREMENTAL COSTS
RESULTING FROM THE COVID-19 PANDEMIC FOR PEOPLES GAS SYSTEM

BY THE COMMISSION:

On July 2, 2020, Peoples Gas System (Peoples or Company) filed a petition for approval to establish a regulatory asset to record costs incurred due to Coronavirus Disease 2019 (COVID-19). Peoples has requested deferral of incremental bad debt expense and safety-related costs attributable to COVID-19. Given the ongoing nature of the COVID-19 pandemic, the total extent of Peoples' COVID-19-related costs is not known at this time. Our consideration of the potential recovery of the regulatory asset will be addressed in a future proceeding.

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

Discussion

We are charged with the duty of ensuring that utilities provide safe, adequate, and reliable utility service at reasonable rates. By law, such rates must allow utilities the opportunity to recover the prudently incurred costs and a fair rate of return on capital invested by utilities for the purpose of providing such service. In turn, utilities have a responsibility, and are expected, to manage their business in a manner that addresses changes in costs and variability in sales.

On July 2, 2020, Peoples filed a petition for approval to establish a regulatory asset to defer certain costs incurred due to COVID-19. Peoples has requested approval to record incremental bad debt expense and safety-related costs attributable to COVID-19 in the requested regulatory asset.

Peoples states aged accounts receivable of 60 days or more exceeds 12 percent of its total accounts receivable balance, or approximately \$2.3 million, exceeding the Company's normal level. Peoples anticipates that COVID-19-related bad debt expense will continue to increase in future months. An allowance for bad debt expense is included in base rates. In Peoples' last rate case, this allowance was based on a four-year average and was set at approximately \$1.6 million per year.¹

Peoples has stated incremental safety costs attributable to COVID-19 related to the Company's efforts to follow all necessary guidelines and protocols include, but are not limited to, personal protective equipment, materials and supplies to protect employees' and customers' health and safety, additional cleaning and sanitization, employee health monitoring, COVID-19 testing of employees, transportation expense, and overtime expense related to safety preparations.

The concept of deferral accounting allows companies to defer costs due to events beyond their control and seek recovery through rates at a later time. If the subject costs are significant, the alternative would be for a company to seek a rate proceeding each time it experiences an exogenous event. The costs in the instant docket are attributed to the COVID-19 pandemic. Due to the uncertainty of this situation, Peoples states that it is not possible to fully anticipate the scope or timeframe of the financial impact on the Company and its customers related to COVID-19.

Because of the unique circumstances resulting from the global pandemic, we approve Peoples' request to establish a regulatory asset for recording costs incurred due to COVID-19 and defer our consideration of the potential recovery of the amounts recorded in the regulatory asset to a future proceeding. This approval to establish a regulatory asset, for accounting purposes, does not limit our ability to review the amounts, recovery method, recovery period, and other related matters for reasonableness in a future proceeding in which the regulatory asset is included. A substantially affected party's point of entry to request an evidentiary hearing before this Commission will be afforded in a future proceeding addressing cost recovery of the regulatory asset.

In addition, we direct that Peoples track any assistance or benefits received by the Company in connection with COVID-19, regardless of form, that would offset any COVID-19-related expenses. This includes, but is not limited to, any cost savings directly attributable to the suspension of disconnections or other activities during the emergency declaration. The regulatory asset costs and offsets shall be recorded and maintained in a detailed manner that will allow incremental costs and any benefits and savings to be readily identifiable in a future proceeding. Peoples shall also be prepared to explain what actions and efforts it has undertaken to reduce or minimize these costs and to maximize the receipt of any available COVID-19 assistance or benefits. Finally, Peoples shall file monthly reports identifying the amounts of the costs incurred, any assistance or benefits received, and any cost savings realized which have been recorded in the regulatory asset. The first COVID-19 regulatory asset report shall be filed on October 1,

¹ Order No. PSC-2009-0411-FOF-GU, issued June 9, 2009, in Docket No. 080318-GU, *In re: Petition for rate increase by Peoples Gas System*.

2020, and every month thereafter until the Company presents the regulatory asset for our consideration.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition for approval to track, record as a regulatory asset, and defer incremental costs resulting from the COVID-19 pandemic, by Peoples Gas System, is granted. It is further

ORDERED that Gulf shall file monthly reports identifying the amounts of the costs incurred, any assistance received, and any cost savings realized, which have been recorded in the regulatory asset. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 4th day of September, 2020.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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.

SPS

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.