



October 5, 2020

VIA ELECTRONIC FILING

Mr. Adam Teitzman
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Docket No. 20200193-PU
IN RE: PROPOSED AMENDMENT OF RULES 25-6.043, 25-7.039, 25-22.0406, 25-22.0407, 25-30.436, AND 25-30.437, AND REPEAL OF RULES 25-30.438, 25-30.4385, 25-30.440, and 25-30.443, F.A.C. CONCERNING NOTICE, PUBLIC INFORMATION, AND MINIMUM FILING REQUIREMENTS FOR ELECTRIC, GAS, WATER, AND WASTEWATER APPLICATIONS FOR RATE INCREASE.

Dear Mr. Teitzman,

1. On September 1, 2020, the Florida Public Service Commission (“Commission”) Staff issued a Notice of Development of Rulemaking to amend Florida Administrative Code (“F.A.C.”): Rule 25-6.043 - Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee; Rule 25-7.039 - Natural Gas Utility Minimum Filing Requirements; Commission Designee; Rule 25-22.0406 - Notice and Public Information on General Rate Increase Requests and Petitions for Limited Proceedings by Electric and Gas Utilities; Rule 25-22.0407 - Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities; Rule 25-30.436 – General Information and Instructions Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase; and Rule 25-30.437 - Financial Rate and Engineering Information Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase. Staff conducted a rulemaking workshop on September 21, 2020, to solicit input and comments from interested parties on the proposed rulemaking. At the conclusion of the workshop, Staff invited interested parties to submit written comments and redlined suggested edits to the

2. proposed rules on October 5, 2020. Staff also asked the workshop participants to provide a Statement of Estimated Regulatory Costs (“SERC”) to identify potential economic or financial impacts of the proposed revisions. For Staff’s consideration, Peoples Gas System (“Peoples” or “the Company”), herein submits these Comments regarding Staff’s proposed amendments to Rules 25-7.039 and 25-22.0406, as well as a SERC associated with the proposed amendments of these Rules.

3. Peoples is a public utility as defined in 366.02 *Florida Statutes* engaged in the distribution and sale of natural gas to approximately 400,000 residential, commercial, industrial and electric generation customers located in 14 separate geographic areas of the state, or "service areas" in the following locations: Tampa, St. Petersburg, Lakeland, Avon Park, Sarasota, Daytona Beach, Eustis, Orlando, Palm Beach, Southwest Florida, Dade/Broward, Jacksonville, Panama City and Ocala.

4. Peoples wants to applaud Staff’s efforts to modernize and streamline the rate making process through proposing amendments to the application of Rules 25-7.039 and 25-22.0406.

5. Peoples agrees with, and supports, the comments made by Tampa Electric Company and Florida City Gas which are discussed below.

Comments to Rules 25-7.039 and 25-22.0406

6. Staff’s proposed amendments to Rule 25-6.043 applicable to electric utilities are essentially identical to Staff’s proposed amendments to Rule 25-7.039 applicable to gas utilities. Additionally, Staff’s proposed amendments to Rule 25-22.0406 apply to both electric and gas utilities. Peoples offers the following comments which are generally consistent with the comments provided by Tampa Electric Company in all respects.

Proposed Modification to Rule 25-7.039(1)(h)

7. Section (1)(h) of Rule 25-7.039, as revised by Staff, reduces the number of paper copies of gas rate case filings that must be provided to the Office of Commission Clerk from twenty to ten copies. Peoples submits this is a significant improvement that will reduce the administrative burden and costs associated with filing a base rate case. Peoples strongly supports this revision to Section (1)(h), but recommends that Staff consider further revising this section to provide additional time from the date of the rate case filing to deliver these ten paper copies to the Office of Commission Clerk. In conjunction with various other utilities which are providing comments, Peoples respectfully recommends that Section (1)(h) of Rule 25-7.039 be further revised to provide that the ten paper copies of a gas utility base rate case filing be delivered to the Office of Commission Clerk within one week (seven calendar days) of the electronic filing.

8. Section (1)(h) of Rule 25-7.039, as revised by Staff, also provides that the gas utilities must provide an Excel version of Commission Form PSC 1027. Peoples respectfully recommends that Section (1)(h) be clarified to reflect that the Excel version of Commission Form PSC 1027 may be provided to the Office of Commission Clerk on a flash drive, CD, DVD, or other similar digital medium.

Request for Clarification of Rule 25-22.0406(2)(a)

9. Section (2)(a) of Rule 25-22.0406, as revised by Staff, provides that the utility must provide a copy of the base rate petition to the chief executive officer of the governing body of each municipality and county within the service area affected. Peoples agrees with and supports Staff's amendment to modernize Section (2)(a) to remove the requirement that utilities must provide local counties and municipalities with paper copies of the base rate filing. Peoples submits that making materials available through electronic means is a much more effective way to disseminate the

information required by the Rule. However, Peoples requests clarification regarding the application of Section (2)(a) of Rule 25-22.0406 as amended by Staff, such that utilities base rate case filings may be delivered to the local counties and municipalities through either an e-mail with a website link to the filing or mailing a CD or flash drive with an electronic copy of the filing.

Statement of Estimated Regulatory Costs

10. At the conclusion of the rulemaking workshop on September 21, 2020, Staff asked participants to review the proposed rule amendments and to identify potential economic or financial impacts of the proposed revisions. Section 120.54(3), Florida Statutes (“F.S”), requires the Agency’s notice of intended action to consider the estimated regulatory cost factors enumerated in Section 120.541, F.S. Consistent with these factors, Peoples herein offers the comments that follow.

11. Peoples does not anticipate that Staff’s proposed amendments to Rules 25-7.039 and 25-22.0406, which are applicable to gas utilities and are addressed in these comments, will have any adverse impact, either directly or indirectly:

Section 120.541(2)(a)(1) – on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;

Section 120.541(2)(a)(2) – on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or

Section 120.541(2)(a)(3) – to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

12. Further, Peoples does not believe that the number of individuals and entities likely to be required to comply with Rules 25-7.039 and 25-22.0406 will change.

13. Finally, Peoples does not believe that implementing and enforcing these Rules as amended by Staff will result in any additional cost to the Commission or to other state and local government entities, nor will there be any effect on state or local revenues.

Conclusion

14. As stated above, Peoples agrees with and strongly supports Staff's proposed amendments to Rules 25-7.039 and 25-22.0406, F.A.C. However, as discussed in the foregoing Comments, Peoples believes that two modifications and clarifications to Rule 25-7.039(1)(h), are appropriate and necessary. Additionally, Peoples believes that further clarification on Rule 25-22.0406(2)(a) would be beneficial to all stakeholders as discussed in these Comments above. Peoples respectfully requests that Commission Staff consider these comments and further revise/clarify the amended Rules 25-7.039 and 25-22.0406, F.A.C., consistent with these Comments. The Company looks forward to working with Staff on these topics as rulemaking proceeds. Please do not hesitate to contact me with any questions or concerns regarding these comments.

Sincerely,
Kandi M. Floyd

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Ms. Kandi M. Floyd
Director Regulatory Affairs
Peoples Gas System