

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: April 24, 2025

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Engineering (Davis, Ellis, Ramos, King) *TB*
Office of the General Counsel (Sparks, Imig) *ACN*

RE: Docket No. 20250055-EQ – Petition for approval of standard offer contract and request for temporary waiver of rule on annual filing, by Florida Public Utilities Company.

AGENDA: 05/06/2025 – Regular Agenda – Tariff Suspension – Participation is at the Commission's Discretion

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: 05/31/25 (60-Day Suspension Date)

SPECIAL INSTRUCTIONS: Staff recommends the Commission simultaneously consider Docket Nos. 20250053-EQ, 20250054-EQ, 20250055-EQ, and 20250056-EQ.

Case Background

Section 366.91(3), Florida Statutes (F.S.), requires each investor-owned utility to continuously offer to purchase capacity and energy from renewable generating facilities and small qualifying facilities. Rules 25-17.200 through 25-17.310, Florida Administrative Code (F.A.C.), implement the statute and require each investor-owned utility to file with the Commission, by April 1 of each year, a revised standard offer contract based on the avoiding or deferring purchases for utilities with no planned generating additions. On April 1, 2025, Florida Public Utilities Company (FPUC) filed a petition for approval of the 2025 Standard Offer Contract and request for temporary waiver of Rule 25-17.250(1), F.A.C., regarding the annual filing requirement. The rule waiver is not part of this recommendation and will be handled separately.

Docket No. 20250055-EQ

Date: April 24, 2025

This is staff's recommendation to suspend the proposed revisions and associated tariffs. The Commission has jurisdiction over this matter pursuant to Sections 366.04, 366.041, 366.05, 366.055, 366.06, and 366.91, F.S.

Discussion of Issues

Issue 1: Should the Commission suspend FPUC's proposed revisions to its standard offer contract and associated tariffs?

Recommendation: Yes. Staff recommends that FPUC's proposed revisions to its standard offer contract and associated tariffs be suspended to allow staff sufficient time to review the petition and gather all information in order to present the Commission with an informed recommendation on the tariff proposals. (Davis)

Staff Analysis: Staff recommends that FPUC's proposed revisions to its standard offer contract and associated tariffs be suspended to allow staff sufficient time to review the petition and gather all 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 change, a reason or written statement of good cause for doing so within 60 days. Staff believes that the reason stated above is a good cause consistent with the requirement of Section 366.06(3), F.S.

Issue 2: Should this docket be closed?

Recommendation: No. The docket should remain open pending the Commission's decision on FPUC's revised standard offer contract and Rule Waiver. (Sparks, Imig)

Staff Analysis: The docket should remain open pending the Commission's decision on FPUC's revised standard offer contract and Rule Waiver.