



# 2022 ANNUAL REPORT

FLORIDA PUBLIC  
SERVICE COMMISSION



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## CHAIRMAN'S MESSAGE

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The Florida Public Service Commission's mission is straightforward—to ensure that Florida consumers have access to safe and reliable utility services at rates that are just and reasonable. The Commission continues to fulfil this mission through proceedings that prioritize due process and fairness to all parties.

I am pleased to share the 2022 Annual Report, which summarizes the Commission's actions this year, as we processed more than 205 cases, including rate cases from two of Florida's investor-owned natural gas utilities. Other highlights from the report include:

- Provided customers with the opportunity to participate in rate cases through both in-person and virtual service hearings.
- Approved cost recovery for solar generation projects that were found to be cost-effective for ratepayers.
- Approved new area code overlay plans in response to increased demand from Florida's rapidly growing population.
- Analyzed and approved Storm Protection Plans for Tampa Electric Company; Florida Public Utilities Company; Duke Energy Florida, LLC; and Florida Power & Light Company.
- Served at the Emergency Operations Center following Hurricane Ian's September 28 landfall, causing electric outages that peaked at just under 2.7 million.

The Commission was also able to implement operational and administrative improvements this year. Some of these improvements include:

- The Commission increased Internal Affairs presentations regarding emerging topics such as microreactors, Broadband expansion, and advancements in consumer technologies.
- Our agency has also prioritized IT upgrades which include improvements to system security.

As Chairman, I am grateful for everyday that I get to serve the residents of this great state. Although the Commission saw great progress in 2022, I believe our best days are still to come.



Andrew Giles Fay  
FPSC Chairman

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- Office of Commission Clerk  
- Office of Auditing & Performance  
Analysis  
- Office of Consumer Assistance &  
Outreach

### **Technical Divisions & Offices**

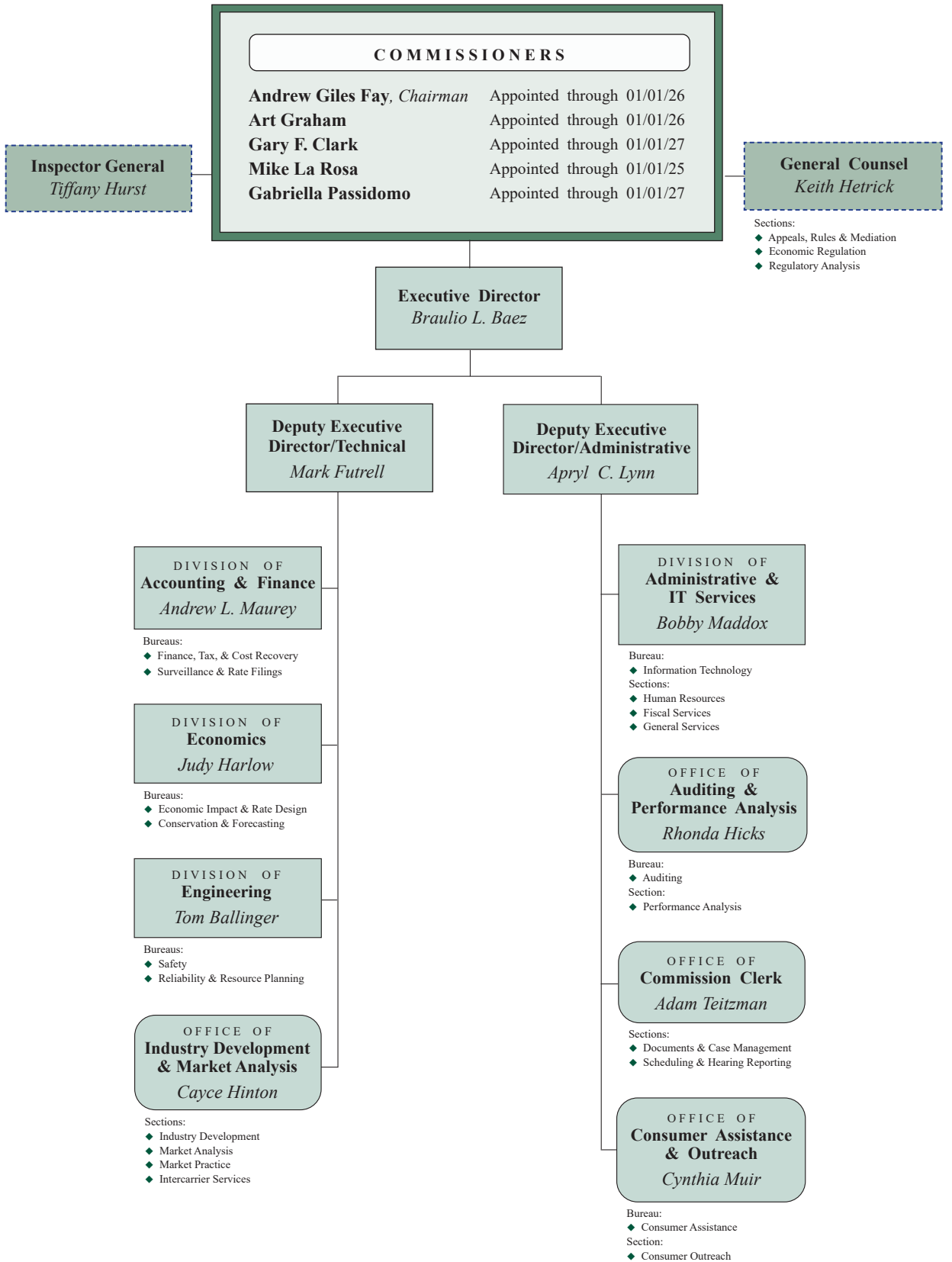
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## Commissioner History

# FPSC ORGANIZATIONAL CHART

AS OF JANUARY 6, 2023



## 2023 FPSC COMMISSIONERS



COMMISSIONER  
*Mike La Rosa*

COMMISSIONER  
*Art Graham*

CHAIRMAN  
*Andrew Giles Fay*

COMMISSIONER  
*Gary F. Clark*

COMMISSIONER  
*Gabriella Passidomo*

***Andrew Giles Fay*** was reappointed to the Florida Public Service Commission (PSC) by Governor Ron DeSantis for a term ending on January 1, 2026. He was first appointed to the PSC by Governor Rick Scott in February 2018. He was elected to serve as Commission Chairman from January 2022 through January 2024. ♦ Chairman Fay brings substantial Legislative, Executive, and Judicial experience from a number of significant roles within State Government. Most recently he served as Assistant Attorney General and Special Counsel to Attorney General Pam Bondi and oversaw the divisions of Legislative Affairs, Cabinet Affairs, and Public Policy for the Office of the Attorney General. ♦ As counsel to the Attorney General, Chairman Fay worked on a myriad of issues including Florida’s Power Plant Siting Act where he assisted on issues associated with the Florida Cabinet’s consideration of electric facility construction and upgrades. Additionally, Chairman Fay advised the Attorney General in her role on the Constitution Revision Commission and advocated for the successful passage of more than a dozen significant pieces of legislation, most notably as the lead author and advocate of Florida’s Information Protection Act (FIPA). ♦ Chairman Fay currently represents Florida as a member of the National Association of Regulatory Utility Commissioners’ (NARUC) Critical Infrastructure Committee where he is focused on protecting both the physical and cyber components of Florida’s electric grid. Chairman Fay was asked to serve as a member of NARUC’s Subcommittee on Education and Research while also serving on NARUC’s Select Committee on Regulatory and Industry Diversity where he represents Florida’s diverse population by working with other State Commissioners to advance awareness, education, and opportunities for supplier and workforce inclusion. ♦ Chairman Fay was named by his peers as one of Florida Trend’s “Legal Elite Government and Nonprofit Lawyers” and was also named Government Attorney of the Year by the Florida Government Bar Association for his work on a wide array of issues including assisting victims of the attack on the Pulse Nightclub in Orlando. Chairman Fay was also recently named a Public Utilities Fortnightly Under Forty Rising Star. ♦ Chairman Fay earned his Bachelor’s and Juris Doctorate from Florida State University and is a lifelong Seminole fan. While in Law School, Chairman Fay served as the Editor-In-Chief of the Florida State Business Review and was also recognized nationally for his work in public service while representing the law school as their Student Bar Association President.

***Art Graham*** was appointed to the Florida Public Service Commission in July 2010 to fill the remainder of an unexpired term and was reappointed three times, most recently for a term through January 1, 2026. He was elected three times to serve as Commission Chairman, working with his colleagues to find ways to hold down rates for Florida’s consumers and businesses. ♦ Commissioner Graham is a member of the National Association of Regulatory Utility Commissioners (NARUC) and was recently appointed to the NARUC Board of Directors. He is a member of NARUC’s Executive Committee and also serves on NARUC’s Committee on Electricity, Subcommittee on Clean Coal and Carbon Management and the Washington Action Program. He previously served on NARUC’s Committee on Water from 2010 through 2016 and was appointed Co-Vice Chair in January 2015. He currently serves on the IEEE Standards Association subcommittee updating the National Electrical Safety Code’s standards for strength and loading of overhead lines. ♦ Prior to his appointment as Commissioner, he served on

*Continued*

the Jacksonville City Council. Among his duties as Council Member, Commissioner Graham helped oversee the budget of JEA, a publicly owned electric, water, and wastewater utility, and chaired the Transportation, Energy, and Utilities Committee. Previously he was on the City Council in Jacksonville Beach, which owns and operates the Beaches Energy electric utility. ♦ He is a past chair of the North Florida Transportation Planning Organization and vice president of the Northeast Florida Regional Council. He was President of ART Environmental Consulting Services from 2005 to 2009, having previously worked on electric power generating boilers and wastewater reduction as a recovery engineer with Georgia Pacific Pulp and Paper. ♦ He received a bachelor's degree in chemical engineering from the Georgia Institute of Technology in Atlanta. He was inducted into the Georgia Tech Living Legends in 2005. He also is a 2001 graduate of Leadership Jacksonville and a member of Leadership Florida's Class XXVII.

**Gary F. Clark** was reappointed to the Florida Public Service Commission by Governor Ron DeSantis for a term beginning January 1, 2023. He was first appointed to the Commission by Governor Rick Scott in 2017. Commissioner Clark was elected to serve as Commission Chairman from January 2020 through January 2022. ♦ Prior to his appointment to the PSC, Commissioner Clark served as the Deputy Secretary of Land and Recreation for the Florida Department of Environmental Protection. During this time, he oversaw 174 state parks and trails, as well as the Division of State Lands. In this role, he served as the chair of the Florida Acquisition and Restoration Council and as chairman of the governing board of the Florida Communities Trust. ♦ Earlier in his career, Commissioner Clark spent the majority of time at West Florida Electric Cooperative, where he served as the Vice President of Member Services. During his tenure with the cooperative, he worked in many areas and also led its diversification efforts. He also served for many years as a member of the Association of Energy Engineers where he earned the distinction as Certified Energy Manager. ♦ Commissioner Clark is recognized for his leadership and service to his community. He has served in several capacities including Washington County School Board member, Chipola College Board of Trustees, Washington County Chamber of Commerce Board of Directors, and the Northwest Florida Water Management District Governing Board. Because of his noteworthy leadership, he has received numerous awards and recognitions. ♦ Commissioner Clark is a graduate of Chipola College and the University of Phoenix and holds a Bachelor of Science in Business Administration. He is a lifelong resident of Washington County, and has owned and managed several small business operations in Northwest Florida. ♦ He and his wife have two children.

**Mike La Rosa** was appointed to the Florida Public Service Commission by Governor Ron DeSantis for a four-year term beginning January 2, 2021. ♦ First elected to the Florida House of Representatives, representing District 42, in 2012, Commissioner La Rosa served until he was term limited in 2020. During his legislative career, he served as Chairman of the House Commerce Committee and also on the Appropriations and Rules Committees. As Chairman of the Commerce Committee, he oversaw Energy and Growth Management Policy during times where Florida's growth and economy was growing at a rapid pace. ♦ Commissioner La Rosa was also active in multiple Legislative organizations where he was able to expand his horizons to learn, grow and mentor with other State Legislators from around the U.S. Much of his focus was on policy that fell within the growth sector, including representing the State on the Southern States Energy Board. ♦ Commissioner La Rosa has worked in the real-estate and development industries and is one of the original founders of La Rosa Development and La Rosa Realty. ♦ He received his B.A. degree in Interpersonal Communications with a minor in Political Science from the University of Central Florida. ♦ Commissioner La Rosa and his wife have three children.

**Gabriella Passidomo** was reappointed to the Florida Public Service Commission by Governor Ron DeSantis for a four-year term beginning January 1, 2023. She was first appointed to the Commission in 2021 to fill a vacant seat. ♦ Commissioner Passidomo is a member of the National Association of Regulatory Utility Commissioners (NARUC) and serves on the NARUC Committee on Gas and the NARUC Gas Subcommittee on Pipeline Safety. Commissioner Passidomo is a member of the Financial Research Institute's Advisory Board and was recently appointed to the Gas Technology Institute's Public Interest Advisory Council and New Mexico State University's Center for Public Utilities Advisory Council. ♦ Before being appointed to the Commission, Commissioner Passidomo served in the FPSC's Office of General Counsel, where she provided analysis and recommendations on issues spanning the Commission's regulatory jurisdiction. ♦ Commissioner Passidomo served as a law clerk for the Florida solicitor general in the Office of the Attorney General. As a law student, she interned in the U.S. Department of Energy's Office of the Assistant General Counsel for Electricity and Fossil Energy. Commissioner Passidomo also authored a report on federal certifications for natural gas pipeline construction under the National Environmental Policy Act, becoming very familiar with federal energy and environmental policy. ♦ Commissioner Passidomo graduated cum laude with a Bachelor of Arts in Political Science from the University of Florida. She earned a Juris Doctorate from the Washington and Lee University School of Law and is a member of the Florida Bar. She received her MBA from Florida State University.

# FPSC EXECUTIVE MANAGEMENT

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***Braulio L. Baez, Executive Director***, is responsible for directing, planning, and administering the overall activities of the Commission staff, except the *Office of General Counsel*. He consults with and advises the Commissioners on regulatory, internal management, and budgetary matters, and acts as an interagency liaison. Reporting directly to him are the *Deputy Executive Director-Administrative* and the *Deputy Executive Director-Technical*.



***Apryl C. Lynn, Deputy Executive Director-Administrative***, supervises and directs the Commission's administrative staff and counsels the *Executive Director* on Commission personnel, media relations, consumer assistance, and auditing matters. The *Division of Administrative & Information Technology Services*, and the *Offices of Commission Clerk, Auditing & Performance Analysis*, and *Consumer Assistance & Outreach* are under her direction.



***Mark Futrell, Deputy Executive Director-Technical***, provides direction and leadership for the technical staff and advises the *Executive Director* on all technical issues pending or presently before the Commission. He has direct authority over the *Divisions of Accounting & Finance, Engineering, Economics*, and the *Office of Industry Development & Market Analysis*.



***Keith Hetrick, General Counsel***, is the Commission's chief legal counsel and chief ethics advisor. The *General Counsel* advises the Commission on the legal aspects of its regulatory responsibilities, providing legal representation in court and before federal agencies, offering legal counsel to the *Office of Executive Director*, and assisting in interagency liaison activities. He supervises the Commission's legal personnel and is charged with the administration and delegation of responsibilities to the lead attorneys in his office. He also provides ethical advice to Commissioners and assists in responding to inquiries from the Legislature.



***Mary Anne Helton, Deputy General Counsel***, provides direction and leadership for the legal staff and advises the *General Counsel* on legal issues before the Commission. She oversees the Attorney Supervisors who lead the *Economic Regulation; Regulatory Analysis; and Appeals, Rules, & Ethics Sections* of the *Office of General Counsel*. She also advises the Commission during public meetings and evidentiary proceedings.







# FPSC ROLE

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MISSION STATEMENT: *To facilitate the efficient provision of safe and reliable utility services at fair prices.*

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The Florida Public Service Commission's (FPSC) work is a balancing act, weighing the needs of consumers with the needs of a utility and its shareholders. For electric, natural gas, and water and wastewater utility companies, the Commission oversees service territories, regulates rates and earnings, and requires utilities to provide service to all who request it. For telecommunications companies, the Commission is responsible for encouraging and promoting fair and reasonable growth within the industry.

The Commission's mission is to balance the customers' need for reasonable, safe, and reliable utility services with the utility companies' need to provide effective and efficient services. Florida's utilities play a significant role in the economic development of cities, regions, and communities working to improve their local business climate. As utilities grapple with industry challenges, FPSC Commissioners are also challenged with difficult decision making in the public interest. Residential and commercial customers now want more interactive choices from their utility companies and want more information to make smart energy decisions.

In the midst of industry and technological change, the FPSC's focus remains constant: how do we best ensure safety, reliability, and affordability for all customers. In doing so, the FPSC exercises regulatory authority over utilities in three key areas: rate base/economic regulation; competitive market oversight; and the monitoring of safety, reliability, and service.

- ◆ Rate base/economic regulation involves analyzing requested rate changes and conducting earnings surveillance to ensure that regulated utilities are not exceeding their authorized rates of return.
- ◆ Competitive market oversight facilitates the development of competitive markets and managing issues associated with them.
- ◆ Safety, reliability, and service monitoring contribute to an uninterrupted supply of utility services to the general public and confirm that such services are provided reasonably and timely with minimal risks.

In each area, the Commission provides consumer assistance, protection, and education services, including responding to consumer questions and complaints and distributing information about using utility services.

*A more detailed description of the FPSC's role in these key areas follows.*

Companies file reports which are reviewed to determine their earnings. If it appears that a company is experiencing excessive earnings, the FPSC initiates a proceeding to thoroughly analyze the company's books and records and reduce its rates. The FPSC may determine earnings are subject to refund if the review indicates possible overearnings.

When a company believes its earnings are below a reasonable level, it can petition the FPSC for a change in rates. After an extensive review of the company's earnings, the Commission determines the company's fair rates and earnings to decide a reasonable rate of return. The Commission also analyzes the actual rates charged by the company, allocates revenue requirements between classes of customers, and develops appropriate rate structures within rate classes.

### ENERGY

In addition to annual reports, the investor-owned electric and natural gas companies also file earnings information monthly, quarterly, or semi-annually, depending upon each company's size. These more frequent company filings allow the FPSC to monitor earnings levels on an ongoing basis. Customer rates can be adjusted if a company is found to be overearning.

Annually, the FPSC thoroughly reviews each regulated utility's fuel, capacity,

conservation, environmental, and storm protection plan implementation costs and authorizes recovery of prudently incurred expenses. Other areas of economic regulation for the energy industry include special contracts, new tariff offerings, conservation programs, depreciation, amortization, nuclear decommissioning studies, fossil fuel dismantlement studies, and territorial agreements.

### WATER & WASTEWATER

In the water and wastewater industries, the FPSC processes a significant number of cases each year. Most cases involve requests for rate increases resulting from the increased cost of providing service. Other cases can involve overearnings investigations to determine if a rate reduction is necessary.

The Commission processes water and/or wastewater certification requests, with the majority involving the transfer or amendment of authorization certificates to provide service. The Commission acknowledges abandonments and cancels certificates for systems transferred to exempt entities. Other cases can involve certifying a new utility and setting its initial rates and charges.

The Legislature has recognized the benefit of reuse to Florida and has enacted pro-

visions in the statutes for the Florida Department of Environmental Protection (DEP), the five water management districts (WMD), and wastewater utilities to employ reuse as a means of effluent disposal and as a method of water conservation. The FPSC's charge is to identify reuse issues related to its jurisdiction and establish policies consistent with statewide goals.

Water conservation is vital to Florida's economy. Rates and rate structure have a direct bearing on water usage and water resource allocation. The FPSC has a Memorandum of Understanding (MOU) with DEP as well as MOUs with four of the five WMDs to coordinate efforts to improve statewide water quality and meet statewide conservation goals. These agencies provide expert testimony, as necessary, on water quality and conservation issues in rate cases before the FPSC.

## COMPETITIVE MARKET OVERSIGHT

The FPSC addresses competitive market structure and regulatory issues in the telecommunications industry, which has transitioned from a monopoly to a competitive market. Two catalysts for the change to a competitive market were innovative technologies that add new markets to established regulated companies and increased service options that provide customer choices.

A key FPSC focus is facilitating competition in the local telephone market, which includes arbitrating agreements between incumbent local exchange companies and competitive local exchange companies when negotiations fail. After interconnection agreements are executed, the FPSC is then charged with interpreting and enforcing the agreements if requested by one of the affected carriers. The FPSC is responsible for resolving other intercarrier disputes including, but not limited to, federal law addressing resale of services, local interconnection, unbundling, number portability, dialing parity, access to rights-of-way, access to poles and conduits, and reciprocal compensation. The FPSC is also active in monitoring and assessing the status of local competition, processing negotiated agreements, and providing input on legislative and Federal Communications Commission (FCC) initiatives.

Innovative technologies and increased service options provide customer choices in a competitive market. Another critical aspect of competitive market oversight in the telecommunications industry is the certification process. Most landline telecommunications companies (excluding interexchange companies) conducting business in Florida are required by state law to be certificated by the FPSC.

By conducting regular reviews of industry practices, the FPSC determines whether entities are engaging in actions that could impede the development of competition. Other significant responsibilities involve oversight of numbering resources; the Lifeline Assistance program, which helps low-income residents have access to telephone and broadband services; and the Relay program. The Relay program facilitates telephone use for the deaf, hard of hearing, or speech impaired.

## RELIABILITY, SAFETY & SERVICE ISSUES

### ENERGY

Through performance and operations investigations, the FPSC obtains information on reliability, service quality, and service availability for review and enforcement.

#### *Electric Reliability*

In the electric industry, the FPSC reviews electric utilities' Ten-Year Site Plans to assess how utilities will meet Florida's energy needs over a ten-year planning horizon. The FPSC considers petitions for the determination of need for electric power plants, transmission lines, and intrastate natural gas pipelines so that adequate generation and

transmission facilities will be available to meet the state's energy needs.

The FPSC also monitors investor-owned utilities' (IOUs) electric service reliability by reviewing each company's Electric Distribution Reliability Report, filed annually on or before March 1. In this filing, each IOU reports the latest available data

on various reliability indices, such as System Average Interruption Duration Index (SAIDI) and System Average Interruption Frequency Index (SAIFI). The reliability indices are based on statistical data that measure each IOU's service quality and reliability. The Commission reviews these reports to verify the utilities' compliance with Commission requirements and ensure that Florida's utilities are maintaining quality service that is safe and reliable.

### ***Electric Safety***

By statute, the FPSC is responsible for the safety of the electric grid. The Commission has adopted the National Electrical Safety Code (NESC) as the applicable safety standard for transmission and distribution facilities subject to the FPSC's safety jurisdiction. In addition, Commission rules set requirements for accident reports, quarterly utility compliance reports, and FPSC facility inspections. Electric safety engineers inspect utility electric transmission and distribution construction sites selected from utility work orders. Any variances from the NESC are corrected through its quality control program.

In 2022, FPSC engineers examined more than 35,000 electric safety inspection points to ensure the reliability and safety of Florida's electric grid.

### ***Natural Gas Pipeline Safety***

More than 46,000 miles of pipeline comprise Florida's natural gas system. Safety compliance evaluations are conducted annually on all natural gas systems. All violations must be corrected or scheduled for corrective action pursuant to the Commission's enforcement procedures.

In April 2011, the U.S. Department of Transportation and the Pipeline and Hazardous Materials Safety Administration urged states to replace all bare unprotected steel and cast iron pipelines due to accidents involving aging infrastructure in

other parts of the U.S. The FPSC's Bureau of Safety requested all companies in Florida with aged infrastructure to provide a replacement plan. In September 2012, the Commission approved replacement programs for TECO Peoples Gas System, the Florida Division of Chesapeake Utilities, and Florida Public Utilities Company (FPUC). These three utilities began with a total of 157 miles of cast iron and 760 miles of unprotected steel pipe needing replacement. As of December 2021, approximately 3 miles of cast iron and 43 miles of bare steel remain to be replaced.

### ***Emergency Operations Center***

The Commission is designated the Lead Response Agency for power and natural gas emergencies for the Office of the Governor. Through the Division of Emergency Management at the state's Emergency Operations Center (EOC), the FPSC provides 24 hours/7 days a week staffing for Emergency Support Function-12 Energy (ESF-12) during state emergencies. ESF-12 coordinates responses to electric and natural gas emergencies and provides information and assistance to various federal and state agencies at the EOC.

The Commission also maintains contact with electric and natural gas utilities serving the affected areas to assess damage and service restoration efforts. Data collected and maintained from these coordination efforts include areas affected, number of customers without electrical power or natural gas, status of generation fuel supply, and estimated restoration time for normal service. The EOC uses this information to determine the most efficient allocation of resources in response to regional recovery efforts.

In May 2022, the FPSC participated in an Integrated Emergency Management Course hosted by the Division of Emergency Management. Also, in 2022, the FPSC supported the EOC in response to Hurricanes Ian and Nicole.

- ◆ Hurricane Ian made landfall near Fort Myers on September 28, the second major hurricane of the season. Ian, a Category 4 storm, created 12 to 18 feet of storm surge at landfall, produced historic flooding in Central Florida, and caused significant beach erosion in Northeast Florida.
- ◆ Hurricane Nicole made landfall just south of Vero Beach on November 10 as the first November hurricane to make landfall in Florida since Kate in 1985. A Category 1 storm, Nicole impacted coastlines along Florida’s east coast, many already battered by Ian.

**WATER & WASTEWATER**

In the water and wastewater industries, the FPSC monitors quality-of-service issues through customer correspondence and complaints. When a consumer complaint regarding water and/or wastewater quality of service is received, FPSC staff works with the consumer and utility personnel to determine the cause of the concern and attempts to resolve the issue. When a complaint results from possible violations of DEP public health rules, FPSC staff works with DEP to resolve the issue.

Service quality issues are also addressed when a utility files an application for a rate change. The Commission conducts customer meetings or service hearings as a part of the rate case process. Consumer comments at these meetings typically include service quality issues. The FPSC reviews consumer concerns and works with the utility to resolve service issues. If a utility has a history of multiple complaints or is not in compliance with DEP primary and secondary standards, the FPSC can assess a financial penalty upon the utility.

**CONSUMER ASSISTANCE, PROTECTION & OUTREACH**

By providing effective consumer assistance, protection, and outreach, the FPSC assists consumers and educates the public about the Commission’s regulatory role.

The FPSC participates in a variety of outreach events such as consumer forums, community meetings, and customer meetings and hearings by presenting pertinent information and distributing a variety of consumer publications. Consumer-related articles about the FPSC’s regulatory work are also featured in various publications, like Elder Update, published by the Department of Elder Affairs. Easy access to agency information ensures that consumers can make informed decisions about utility services.

With Florida’s annual, unpredictable hurricane season and fluctuating fuel costs, consumers have concerns about storm restoration and expenses, which impact the natural gas, electric, and water/wastewater industries. The FPSC website has information to provide consumers with up-to-date regulated utility bill charges and highlights the Commission’s statutory obligation to protect consumers by ensuring public safety.

The FPSC assists consumers with analyzing their utility bills and verifying the accuracy of charges to help resolve disputes between regulated companies and their customers in a fair and efficient manner.

The Commission’s Transfer Connect system offers consumers a quick, efficient option to resolve complaints. When a consumer calls the FPSC’s toll-free consumer assistance line (1-800-342-3552) with a question or a complaint regarding utility services, an FPSC analyst, with the customer’s approval, will transfer the call directly to the utility for handling. Once the consumer’s call is transferred, the utility pays for the call until completion. Each company subscribing to Transfer Connect must provide “live” customer service personnel to handle the transferred calls. The Transfer Connect option also allows FPSC staff to consult with a utility representative and pass on caller information so the

caller doesn’t have to repeat it. Consumers benefit when they can meet their needs with a single toll-free call.

Florida consumers also contact the FPSC regarding water and/or wastewater quality concerns. These concerns are recorded in the FPSC’s Complaint Tracking System and forwarded to the appropriate water and/or wastewater utility for response. DEP is charged with protecting the quality of Florida’s water and protecting the environment from the improper handling and disposal of solid waste. Therefore, the FPSC provides a copy of all water and/or wastewater complaints to DEP weekly for the agency’s review.

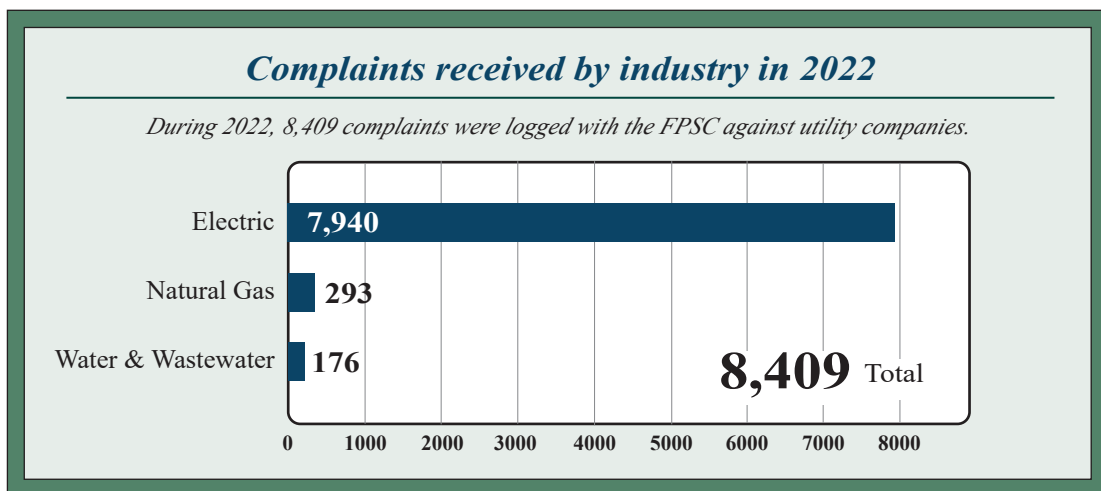
### ***Resolving Consumer Complaints***

Assisting consumers is a FPSC priority. Residential and business customers needing additional assistance to resolve complaints with Florida’s regulated utilities can receive help from the FPSC’s experienced analysts, who can also provide information on utility payment plans, statutes and rules governing utility companies, and the status of pending cases before the Commission. Consumers can find a variety of fact sheets, brochures, and consumer tips on the Commission’s website.

CONTACT THE FPSC IN THE FOLLOWING WAYS:

- ◆ Complete an online complaint form
- ◆ Call toll-free: 1-800-342-3552
- ◆ E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)
- ◆ Fax toll-free: 1-800-511-0809

For more information, visit the FPSC’s website at: [www.FloridaPSC.com](http://www.FloridaPSC.com).



*Note: Includes non-certificated complaints logged, complaints transferred via the telephone transfer-connect or e-transfer process, and complaints logged and resolved under the three-day rule.*

*FPSC jurisdiction over telecommunications complaints is limited to: Lifeline Assistance program, Florida Relay, and payphone service.*

Since consumer service and protection are integral to the FPSC’s mission, the Commission encourages early, continuous, and meaningful public participation throughout its regulatory process. As part of the FPSC’s education program, information is compiled and relayed to consumers, who are offered many opportunities to provide comments and ideas to the Commissioners before final decisions occur. The FPSC also ensures that consumers have the information needed to know their rights as utility customers.

Consumers receive information in a variety of ways, including the FPSC website, news releases, consumer newsletters, Twitter, LinkedIn, phone or fax, publications, brochures, scheduled FPSC meetings open to the public, and community events. The FPSC’s website, [www.FloridaPSC.com](http://www.FloridaPSC.com), is continuously updated to keep information current and user-friendly. In addition to obtaining information on the website, consumers may file online complaints and inquiries about their utility services. Commission events and meetings are usually accessible online as live or archived video and/or audio broadcasts.

## CONSUMER OUTREACH

Each August, the FPSC provides educational packets, including a sample of FPSC publications and brochures in English and Spanish to Florida public libraries across the state for consumer distribution. The FPSC’s Library Outreach Campaign reached 617 state public libraries and branches in 2022. To reduce mailing and production costs, the Commission’s 2022 Campaign was accomplished electronically. Following the Campaign, many libraries request a variety of publications. Their continuing support helps the FPSC reach consumers throughout the state.

National Consumer Protection Week (NCPW), highlighting consumer protection and education efforts, assisted with the Commission’s 2022 conservation education efforts. Chairman Andrew Fay recognized the 24th Annual NCPW (March 6-12, 2022) by raising awareness and education on scams targeting utility customers, securing online privacy, and protecting personal information.

For NCPW 2022, the Commission made presentations at the Jefferson County Senior Citizens Center and the Senior Citizens Council of Madison County, showing consumers how to save money through energy and water conservation

and how to avoid scams. For over a decade, the FPSC has joined government agencies, advocacy organizations, and private sector groups nationwide to highlight NCPW.

Florida’s outreach for National Lifeline Awareness Week, September 12-16, 2022, focused on senior and community centers, housing and neighborhood developments, and area agencies on aging in Columbia, Palm Beach, Alachua, Lee, and Polk Counties. In addition to increasing awareness among eligible citizens, LAW continued educating residents about the monthly discount on voice and broadband services. Lifeline information is also readily available on the FPSC’s website.

In October, the U.S. Department of Energy (DOE) sponsors National Energy Awareness Month to promote smart energy choices and highlight economic and job growth, environmental protection, and increased energy independence. To highlight Energy Awareness Month 2022, the FPSC encouraged consumers to take proactive steps to save energy by sharing a daily conservation tip on Twitter. The FPSC also encouraged consumers to use its Conservation House and other FPSC website information to implement energy-saving strategies during the month.



With its interactive design, the Commission's quarterly Consumer Connection E-Newsletter features current energy and water conservation topics, consumer tips, and general Commission information. Consumer tips highlighted through video and text during 2022 include: Chairman Fay Takes a Florida EV Tour; Chairman Fay Experiences the Line Life, FPSC Recognizes Florida Lineworker Apprecia-

tion Day, Florida PSC Highlights Lifeline Awareness Week by Answering Consumers' FAQs, and Florida PSC Encourages Safe Digging on National 811 Day. The Consumer Connection E-Newsletter is available under Consumer Information/Consumer Portal on the Commission's website and distributed to consumers via Twitter, LinkedIn, and by subscribing to the free newsletter online.

CLICK HERE TO ACCESS:



Each quarter, the Commission recognizes a small business for implementing Commission-approved, cost-effective conservation programs. Covering the state's five major geographic areas, the Commission presents its Triple E Award—for Energy Efficiency Efforts—to a local business that has accomplished superior energy efficiency by working with its utility to help reduce its energy footprint. Triple E Award recipients receive an award plaque; are featured under Hot Topics on the homepage, [www.FloridaPSC.com](http://www.FloridaPSC.com); and are highlighted in a statewide press release, Tweeted [@floridapsc](https://twitter.com/floridapsc), and archived on the website.

To help consumers who might need assistance paying their utility bills, the FPSC compiled A Guide to Utility Assistance in Florida that includes contact information for all electric utilities in the state. The booklet gives consumers a way to call their utility to tap into the extensive network of social service organizations in their area. Many of Florida's electric utilities also have company programs designed to provide emergency assistance funds to customers unable to pay their electric bill, so consumers in need can benefit by contacting their utilities.

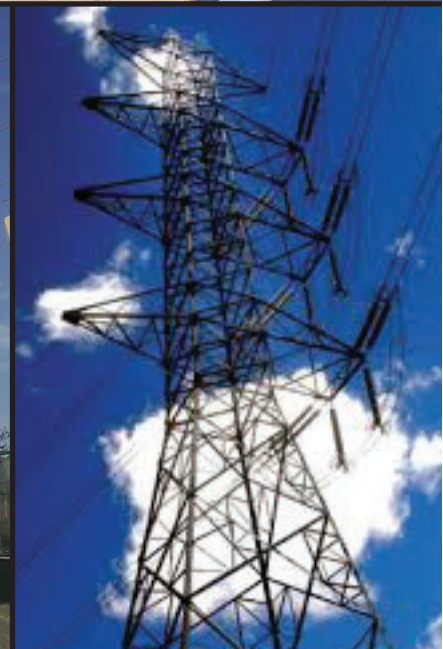
A FPSC Helping Hand partner organization or agency is highlighted each quarter. FPSC Helping Hand partners serve clients eligible for the federal Lifeline Assistance telephone/broadband discount program or who need help reducing energy and water bills. Through FPSC Helping Hand partnerships, the Commission shares information to help consumers avoid scams and to help lower monthly bills by conserving water and energy.

To assist Florida legislators and other government officials whose constituents might be affected by a specific case before the FPSC, the Commission produces an informational report, the Florida Public Service Commission Government Bulletin. The Government Bulletin provides a background for cases where customer input is considered and helps answer constituent inquiries.

Throughout the year, FPSC Commissioners and/or staff attended virtual and in-person customer hearings and meetings. For each virtual hearing or meeting, customers could access a Rate Case Overview online that explains the case being reviewed and encourages their remote participation. In 2022, FPSC staff organized and attended 20 virtual or in-person customer hearings and meetings, addressing citizens' questions and concerns.

The FPSC must also live stream all meetings attended by two or more Commissioners. This provides greater customer access and participation in FPSC proceedings. The Commission features many brochures to help consumers save energy, conserve water, avoid utility-related scams, or learn about the Lifeline Assistance program and other relevant topics. Brochures may be viewed and printed directly from the website, ordered free online, or requested by mail or phone.

The FPSC participates in consumer programs and distributes energy and water conservation materials through partnerships with governmental entities, consumer groups, and other service organizations. For the past few years, the FPSC has held virtual and in-person outreach events to accommodate the many Florida senior and community centers that continue to operate with restrictions.





# FPSC REGULATORY ACTIONS *for Calendar Year 2022*

The FPSC continues to facilitate a regulatory environment that ensures safe and reliable utility services at reasonable rates. In 2022, Commission decisions supported new solar projects, approved an EV charging station pilot, authorized storm restoration surcharges, and continued funding for pipeline infrastructure safety improvements. The Commission's work is a balancing act, and the FPSC will continue to promote fuel diversity and ensure grid reliability and resiliency in 2023.

In 2022, the FPSC regulated 5 investor-owned electric utilities, 8 investor-owned natural gas utilities, and 149 investor-owned water and/or wastewater utilities and had competitive market oversight for 286 telecommunications companies in Florida.

The number of certificated telecommunications companies as of November 2022 included:

- ◆ 10 incumbent local exchange companies
- ◆ 249 competitive local exchange companies
- ◆ 27 pay telephone companies

The FPSC does not regulate the rates and service quality of publicly owned municipal or cooperative electric utilities; however, the Commission does have jurisdiction regarding rate structure, territorial boundaries, bulk power supply operations, and power supply planning over 35 municipally owned electric systems and 18 rural electric cooperatives. The FPSC has jurisdiction regarding territorial boundaries and safety over 27 municipally owned natural gas utilities and 4 gas districts. In addition, the Commission exercises safety authority over all electric and natural gas systems operating in the state.

The FPSC's mission is to facilitate the efficient provision of safe and reliable utility services at fair prices.

***During 2022 the Commission handled several significant regulatory issues. They are summarized in the following sections.***

## ENERGY

### ELECTRIC RATE CASES

#### ***Florida Power & Light Company and Gulf Power Company***

As part of the administrative hearing on FPL's request, the Commission held twelve customer service hearings over two weeks in June and July 2021. Testimony was taken from over 370 customers and public officials concerning the rates and service provided by the companies.

A technical hearing on FPL's request was scheduled for August 16-27, 2021. On August 10, FPL, Office of Public Counsel (OPC), Florida Retail Federation (FRF), Florida Industrial Power Users Group (FIPUG), and Southern Alliance for Clean Energy (SACE), filed a Joint Motion for Approval of Stipulation and Settlement Agreement (2021 Settlement). On August 12, 2021, the hearing scheduled for August 16 was continued until Wednesday, August 18, 2021 to allow FPL and Gulf to respond

to service issues associated with Tropical Storm Fred's landfall in its Panhandle service area. At the August 18 hearing, a new hearing date of September 20-22, 2021, for the rate case and the 2021 Settlement was set.

As filed, the 2021 Settlement provides for: 1) a 2022 revenue increase of \$692 million; 2) a 2023 revenue increase of \$560 million; 3) 2024 and 2025 SoBRA revenue increases; 4) uniform rates to all customers throughout the FPL and former Gulf service areas; 5) an ROE midpoint of 10.60 percent with a range of 9.70 to 11.70 percent; 6) a 20-basis point trigger mechanism in the event of a specified rise in the 30-year US Treasury bond interest rate; 7) an adjustment for any federal or state income tax reform; 8) continuance of FPL's Asset Optimization Program with certain modifications; 9) cost recovery for storm damage caused by named storms; and 10) numerous EV and other programs and/or pilots. The 2021 Settlement prohibits FPL from engaging in new natural gas financial hedging contracts.

The final hearing on FPL's base rate increase petition and the 2021 Settlement was held on September 20, 2021. At the October 26, 2021 Special Agenda, the Commission approved the 2021 Settlement. The 2021 Settlement is in effect from January 1, 2022 through December 31, 2025, or when FPL's base rates are next reset in a general base rate proceeding. FPL, however, may unilaterally extend the term of the 2021 Settlement by one additional year.

On August 23, 2022, FPL filed a Notice of Triggering Revised Authorized Return on Equity (ROE) pursuant to its 2021 Settlement. On October 4, 2022, an administrative hearing was held and all participating parties agreed to the proposed stipulations, which settled all issues. On October 21, 2022, the Commission issued its final order approving FPL's request to revise its

authorized ROE midpoint to 10.80 percent with a range of 9.80 percent to 11.80 percent.

On September 23, 2022, FPL filed a petition requesting Commission approval of a refund and rate reduction resulting from the Inflation Reduction Act (IRA) of 2022. On December 6, 2022, the Commission approved FPL's request to refund \$35.7 million in 2022 tax savings to customers by crediting the Capacity Cost Recovery Clause in January 2023 and to flow to customers its projected 2023 net tax savings of \$69.7 million through a base rate decrease beginning January 2023.

### *Duke Energy Florida, LLC*

On January 14, 2021, Duke Energy Florida, LLC (DEF) filed a petition for a limited proceeding to approve a 2021 Settlement Agreement (2021 Settlement). The 2021 Settlement was signed and executed by DEF, OPC, FIPUG, PCS Phosphate, and Nucor Steel Florida, Inc.

DEF's 2021 Settlement provides the company with multi-year increases to base rates beginning with the first billing cycle of January 2022 and resolves outstanding issues in existing, continuing, and prospective dockets before the Commission. The cumulative multi-year increases from 2022 through 2024 total \$195.378 million. The 2021 Settlement also contains the following provisions: 1) DEF is authorized to implement three new EV programs; 2) adjustments will be made for any federal or state income tax reform; 3) the dismantlement study filed in December 2020 is approved without changes; and 4) the depreciation and storm reserve studies filed in December 2020 are approved with specific modifications.

On May 4, 2021, the Commission held a technical hearing on the consolidated dockets (rate case, storm recovery, and dismantlement and depreciation studies).

The Commission approved the 2021 Settlement by a bench decision at the conclusion of the hearing. The 2021 Settlement is in effect from January 1, 2022 through December 31, 2024, or when DEF's base rates are next reset in a general base rate proceeding.

On August 12, 2022, DEF filed a petition for a limited proceeding to implement the ROE trigger pursuant to the terms of its 2021 Settlement. On October 4, 2022, an administrative hearing was held. All participating parties supported the 2021 Settlement and agreed with the rates calculated by DEF. On October 21, 2022, the Commission issued its order approving DEF's request and a base rate increase of \$24.4 million, effective January 2023. On October 17, 2022, DEF filed a petition for a limited proceeding to approve rate reductions associated with the IRA of 2022. On December 6, 2022, the Commission approved DEF's request to decrease base rates in January 2023 by \$56 million for estimated 2023 tax savings. DEF plans to credit customers for actual 2022 tax savings in its Capacity Cost Recovery Clause filing, expected in March 2023.

### *Tampa Electric Company*

On April 9, 2021, Tampa Electric Company (TECO) filed a request for a base rate increase of \$295 million effective January 1, 2022, as well as generation base rate adjustments (GBRA) of \$102 million for 2023 and \$25.6 million for 2024 for the recovery of certain solar plant investments. TECO requested a return on equity (ROE) of 10.75 percent. On August 6, 2021, TECO filed a Motion to Suspend Procedural Schedule (Motion) and Approve 2021 Stipulation and Settlement Agreement (2021 Settlement). Parties to TECO's base rate increase case— OPC, FIPUG, FRF, FEA, Walmart, and West Central Florida Hospital Utility Alliance—unanimously supported TECO's Motion.

As part of the administrative hearing in this case, the Commission held three customer service hearings on August 9 and 10, 2021. Testimony was taken from customers and public officials about the rates and service provided by TECO.

The 2021 Settlement provides for: 1) a 2022 revenue increase of \$122.7 million; 2) a 2023 GBRA revenue increase of \$89.8 million; 3) a 2024 GBRA revenue increase of \$21.4 million; 4) an ROE midpoint of 9.95 percent with a range of 9.00 to 11.00 percent; 5) a 25-basis point trigger mechanism in the event of a specified rise in the 30-year U.S. Treasury bond interest rate; 6) an adjustment for any federal or state income tax reform; and 7) cost recovery for storm damage caused by named storms. The 2021 Settlement prohibits TECO from engaging in new natural gas financial hedging contracts or seeking recovery of costs related to investments in oil or natural gas exploration, reserves, or production.

A technical hearing on TECO's request was held on October 21, 2021, and a bench decision was made to approve the 2021 Settlement. TECO's 2021 Settlement is in effect from October 21, 2021 through December 31, 2024, or when TECO's base rates are next reset in a general base rate proceeding.

On July 1, 2022, TECO filed a petition to activate the 2021 Settlement's ROE trigger mechanism based on interest rate increases on the 30-year U.S. Treasury Bond. TECO requested an increase of its authorized ROE mid-point to 10.20 percent with a range of 9.25 percent to 11.25 percent, a revenue requirement increase and an associated base rate increase of \$10 million. A hearing was held on August 16, 2022, and TECO's petition was approved.

On August 26, 2022, TECO filed a petition to implement the 2023 GBRA provisions in the 2021 Settlement. TECO proposed to increase the 2023 GBRA amount from

\$89.8 million to \$91.0 million to account for the increased ROE allowed by the trigger mechanism. Subsequently, TECO notified the Commission that it was evaluating, in coordination with the Office of Public Counsel, the impact of the IRA on the company's 2023 GBRA. The IRA increased the tax benefits associated with the construction of renewable energy projects, including solar-generating assets. On December 6, 2022, the Commission approved TECO's proposed GBRA increase effective January 2023. TECO will petition the Commission on the related IRA refund in 2023

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## NATURAL GAS RATE CASES

### *Florida City Gas*

On May 31, 2022, Florida City Gas (FCG) filed a petition seeking the Commission's approval of a rate increase and associated depreciation rates. FCG requested an increase of \$29.0 million in additional annual revenues. Of that amount, \$5.7 million is to reclassify FCG's Safety, Access, and Facility Enhancement program revenues from the surcharge to base rates, and \$3.8 million is related to the revenue requirements for the previously approved Liquefied Natural Gas Facility. FCG petitioned that the remaining \$19.4 million is necessary for the Company to earn a fair rate of return on its investment and to adopt its requested reserve surplus amortization mechanism. FCG did not request interim rate relief in this proceeding.

Two in-person and two virtual Customer Service Hearings were held in September 2022 to hear from customers on FCG's request and quality of service. The Commission held a technical hearing on December 12-16, 2022, to address FCG's petition. The Commission will consider FCG's request in early 2023.

### *Florida Public Utilities Company, Florida Division of Chesapeake Utilities Corporation, Florida Public Utilities Company-Fort Meade, and Florida Public Utilities Company-Indiantown Division*

On May 24, 2022, Florida Public Utilities Company, Florida Division of Chesapeake Utilities Corporation, Florida Public Utilities Company-Fort Meade, and Florida Public Utilities Company-Indiantown Division (collectively FPUC or Company) filed a petition seeking Commission approval to increase rates and charges and to consolidate the four natural gas utilities into one utility operating under the name Florida Public Utilities Company (FPUC).

In 2009, Chesapeake Utilities Corporation, a Delaware corporation, owned and operated by the Florida Division of Chesapeake Utilities Corporation, acquired Florida Public Utilities Company's electric and gas divisions. In 2010, Florida Public Utilities Company acquired Indiantown Gas Company and, in 2013, the natural gas assets of Fort Meade, a municipal utility. Since the acquisitions, Indiantown Gas Company operates as Florida Public Utilities Company-Indiantown Division and Fort Meade as Florida Public Utilities Company-Fort Meade.

In its petition, the Company requested an increase of \$43.8 million in additional annual revenues. Of that amount, \$19.8 million is associated with moving the Company's current investment in the Commission-approved Gas Reliability Infrastructure Program (GRIP), which is being recovered through a separate surcharge on customers' bills, into base rates. The remaining \$24 million, according to FPUC, is necessary for the Company to earn a fair return on its investment and a requested return on equity of 11.25 percent. The Company based its request on a 13-month average rate base of \$454.9 million for the projected test year January through



December 2023. The requested overall rate of return is 6.43 percent.

The Company stated that the key drivers for the proposed rate increase are: capital investments to expand service, technology, and safety investments; increased insurance premiums; and an increase in the cost of materials and labor due to high inflation. As part of the petition, the Company filed a new 2023 depreciation study, a cost recovery environmental surcharge, revisions to its Area Expansion Program (AEP), and consolidated rate structures.

Two in-person and three virtual Customer Service Hearings were held in August and September 2022 to hear from FPUC customers about the company's request and quality of service. The technical hearing was held on October 25-26, 2022. The Commission will consider FPUC's request in early 2023.

### ***Peoples Gas System***

On June 8, 2020, Peoples Gas System (PGS) filed a request for an annual base rate increase of \$85.3 million. Of that amount, the utility requested to transfer into rate base its \$23.6 million current investment in a Commission-approved Cast Iron/Bare Steel Replacement Program (CI/BSR), which is recovered through a separate surcharge on customers' bills. PGS referenced several reasons for the rate request, including three expansion projects and a request to increase its Annual Storm Accrual.

On November 19, 2020, the Commission approved a Settlement Agreement between the parties to the docket that includes a revenue requirement increase of \$58.0 million, of which \$23.6 million is attributed to the CI/BSR migration from a surcharge to base rate recovery. The Settlement authorized an ROE of 9.9 percent and allowed for an annual storm reserve accrual of \$380,000, with a storm

reserve target of \$3.8 million. New base rates became effective on January 1, 2021. The Settlement term is three years, from January 1, 2021 through December 2023, with rates continuing beyond that date unless changed by Commission order.

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## **DEPRECIATION, DISMANTLEMENT, & NUCLEAR DECOMMISSIONING STUDIES**

Depreciation rates for regulated utilities are set by the Commission to ensure that cost recovery is provided for assets while they are in service. Unless modified by Commission order, depreciation studies are required to be filed every four years by electric companies and every five years by gas distribution companies.

Dismantlement studies for electric utilities that own and operate fossil fuel generating units must be filed with the Commission every four years unless modified by Commission order. These studies provide updated cost estimates to dismantle a fossil fuel generating unit at the end of its useful life; the information in these studies is also used to determine whether a company needs to recover funds, in current customer rates, that will be necessary to pay for dismantlement.

Decommissioning studies for electric utilities that own and operate nuclear generating units must be filed with the Commission every five years unless directed otherwise by the Commission. These studies provide updated estimates of the cost to decommission a nuclear unit at the end of its useful life; the information in these studies is also used to determine whether a company needs to recover funds, in current customer rates, that will be necessary to pay for decommissioning.

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## DEPRECIATION & DISMANTLEMENT

### *Florida Power and Light Company*

FPL filed its 2021 Depreciation and Dismantlement Studies on March 12, 2021, in conjunction with its petition for a base rate increase. FPL's depreciation study resulted in a modest decrease in depreciation expense of \$2.4 million, due primarily to the 20-year life extension of the Turkey Point Nuclear Power Plant approved by the Nuclear Regulatory Commission in 2019. For the depreciation study's application to the rate proceeding, FPL provided two sets of Minimum Filing Requirements, one reflective of depreciation rates obtained from its 2021 depreciation study and another reflective of depreciation rates based on certain alternative depreciation parameters.

The alternative parameters were based on extended service lives for specific plant categories (e.g. St. Lucie Nuclear, combined cycle, solar, and some transmission, distribution, and general) relative to lives proposed in FPL's 2021 Depreciation Study. FPL's alternative parameters resulted in a substantial theoretical reserve surplus, which the company proposed to adjust earnings levels within the authorized range determined in the rate case. This proposed accounting adjustment was identified as the Reserve Surplus Amortization Mechanism (RSAM) to be implemented in exchange for its proposed multi-year rate case stay-out provision (including the years 2022-2025). Alternatively, if the Commission did not approve the proposed multi-year stay-out provision, FPL maintained that its 2021 Depreciation Study should be approved and implemented.

The alternative parameters, as well as the resulting depreciation rates, were included as the basis for FPL's 2021 Settlement, which the Commission ultimately ap-

proved (see "Electric Rate Cases"). The result was a decrease in depreciation expense of \$235 million in the 2022 test year relative to the depreciation expense associated with FPL's 2021 Depreciation Study and the creation of a depreciation reserve surplus of \$1.48 billion, of which \$1.45 billion was earmarked for FPL earnings adjustments (RSAM) to be applied at the company's discretion, during the term of the 2021 Settlement (2022-2025).

FPL filed its 2021 Dismantlement Study (corrected) on May 7, 2021. FPL's corrected study resulted in total dismantlement accruals of \$51.9 million, an increase of \$25.1 million over the accruals established in 2016. Much of the increase was related to the solar generating assets installed during the interim years and those expected to be added through 2025. The dismantlement expense recognized in FPL's 2021 Settlement was \$47.7 million, or \$5.7 million lower than the amount reflected in the study. This decrease was related to the longer plant lives associated with alternative parameters supporting the RSAM.

Per the 2021 Settlement, the next depreciation and dismantlement studies must be filed on or before the date the next rate case petition is filed, rather than within four years of the 2021 Depreciation Study file date as is generally the case under Rules 25-6.0436 and 25-6.04364, F.A.C.

### *Duke Energy Florida, LLC*

DEF filed its 2020 Depreciation and Dismantlement Studies on December 31, 2020, then modified its depreciation study on January 14, 2021, in conjunction with DEF's 2021 Settlement Agreement. The modifications reflected the acceptance of the existing distribution and transmission depreciation rates, combined cycle generating plant lives of 40 years, and the delayed amortization until January 1, 2025 of the Cost of Removal (COR) Regulatory Asset. The COR Regulatory

Asset is valued at \$460.7 million. The modified study ultimately approved by the Commission resulted in a \$121.8 million increase in depreciation expense, approximately \$57.6 million less than the amount identified in DEF's originally-filed study. The dismantlement study resulted in 2022 dismantlement expense of \$414.5 million, or \$253.2 million higher than the 2010 estimates. The most significant changes in the dismantlement study are related to the addition of solar sites, the Citrus County Combined Cycle site, and the addition of plant inventory in the cost estimates. The cost of the increase is deferred to a regulatory asset during DEF's 2021 Settlement term (2022-2024).

### ***Tampa Electric Company***

TECO filed its 2020 Depreciation and Dismantlement Studies on December 30, 2020. In the same filing, the Company proposed the accelerated recovery of the undepreciated net book value of Big Bend Generating Units 1, 2, and 3 assets and Automated Meter Reading (AMR) assets. These assets were all scheduled for early retirement through 10-year capital recovery schedules and were not reflected in the depreciation rates and expense proposed in TECO's 2020 Depreciation and Dismantlement Studies. The results of these studies included an increase in annual depreciation expense of \$29.6 million relative to then-current depreciation rates and an increase in annual dismantlement expense of \$6.8 million.

On April 9, 2021, TECO filed a petition for a base rate increase, supported by its earlier-filed depreciation and dismantlement studies. TECO's 2021 Settlement, filed August 6, 2021, proposed a reduction of \$28.7 million to the annual depreciation and dismantlement expense proposed in TECO's 2020 studies, resulting in a net annual depreciation and amortization expense of \$376 million. Under the 2021 Settlement, the net book value of Big Bend Assets and AMR metering assets,

along with the dismantlement reserve deficit of \$111.1 million, were separated from base rates and will be recovered via a new charge identified as the Clean Energy Transition Mechanism (CETM). The CETM charge will remain in effect for 15 years (through 2036) as a levelized charge on customers' bills. The Commission approved the 2021 Settlement on October 21, 2021. TECO's next depreciation and dismantlement studies are due to be filed no more than one year, and no less than 90 days, before the filing of its next rate case proceeding.

### ***Sebring Gas Company***

Sebring filed its Depreciation Study on November 18, 2021. The company's depreciation study period extends through December 31, 2021, with a proposed effective date for depreciation rates of January 1, 2022. On April 5, 2022, the Commission approved revised depreciation rates for Sebring, effective January 1, 2022, reflecting an annual increase in depreciation expense of \$4,342 based on investments as of December 31, 2021.

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## **DECOMMISSIONING**

### ***Duke Energy Florida, LLC***

On July 10, 2019, DEF petitioned the Commission for approval of a transaction with Accelerated Decommissioning Partners, LLC (ADP) that would result in the accelerated decommissioning of the Crystal River Unit 3 (CR3) nuclear generating facility by 2027 and Nuclear Regulatory Commission (NRC) License Termination by 2038 after spent fuel is removed from the Crystal River site. Under the transaction, ADP would complete all decommissioning activities, acquire ownership of DEF's Independent Spent Fuel Storage Installation, and assume DEF's contract with the U.S. Department of Energy for disposal of spent nuclear fuel as well as

operational responsibility of CR3. DEF also requested Commission approval of its updated nuclear decommissioning study.

DEF's CR3 decommissioning is the first decommissioning for a nuclear power plant in Florida. The nuclear portion of the plant was shut down in 2009.

On September 20, 2019, the Commission issued its order modifying the procedure in the case to grant OPC's motion to hold the hearing schedule in abeyance until the NRC ruled upon DEF's nuclear license transfer application and its related order was issued. The NRC issued its order on April 1, 2020, approving the license transfer application to ADP. An evidentiary hearing was held July 7-9, 2020. The Commission approved DEF's proposed decommissioning transaction of CR3 and DEF's 2019 Accelerated Decommissioning Study on August 18, 2020. The Commission also set the decommissioning accrual to be collected from DEF's customers at zero dollars per year to cover the cost of decommissioning. The Commission's approval of the transaction means the decommissioning services over the contract's life will be provided for a fixed price of \$540 million. The status of the nuclear decommissioning trust fund was found to be sufficient to cover both the fixed price contract obligation as well as all expected DEF costs going forward. The Commission set forth a wide range of reporting requirements for DEF that extended through the final period of partial license termination. The docket remains open for monitoring purposes.

### ***Florida Power and Light Company***

FPL filed its 2020 Nuclear Decommissioning Study for St. Lucie Units 1 & 2 and Turkey Point Units 3 & 4 on December 14, 2020. Consistent with its 2015 study, FPL's 2020 study included the DECON method (i.e. prompt removal/dismantling) for decommissioning its Turkey Point

Units and a combination of the DECON method and SAFSTOR method (mothballing with delayed removal/dismantling) for decommissioning the St. Lucie Units. FPL's study recognized the 20-year life extension granted by the NRC in 2019 for the Turkey Point Units 3 & 4 to 2052 and 2053, respectively. The St. Lucie Units 1 & 2 operational licenses currently extend through 2036 and 2043, respectively. The cost estimate to decommission the Turkey Point Units (\$1.361 billion) decreased substantially compared to the 2015 study (23.4 percent), largely due to the impact of the 20-year life extension on spent fuel management for Turkey Point Unit 4. St. Lucie decommissioning costs (\$1.745 billion) decreased 3.4 percent relative to the costs identified in the 2015 study.

NRC rules require that licensees provide reasonable financial assurance that funds will be available for decommissioning through prepayment, and the Commission approved an external sinking fund method for that purpose in 1989. The fund, established by FPL for decommissioning its nuclear units, has required a zero accrual since 2005. After reviewing updated costs, funds balance, and earnings rate, the Commission approved the proposed continuation of a zero accrual on June 15, 2021. In tandem with this review, the Commission recognized proposed decreases to FPL's nuclear units' end-of-life materials and supplies and last core (nuclear fuel) annual amortization expenses. FPL is due to file its next decommissioning study by December 14, 2025.

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## **FUEL DIVERSITY**

Florida's generating capacity is anticipated to grow to meet the increase in customer demand. While most of this demand is currently met through natural gas, renewables—primarily solar photovoltaic—are the fastest increasing generation resources.

As of 2021, approximately 7,584 MW of renewables, including 6,085 MW of solar, was installed in Florida, contributing to 5.2 percent of all electricity production. In 2022, approximately 1,109 MW of new solar generation was planned, with all renewables increasing to 6.3 percent of electricity production. Sources of renewables have included utility-owned generation, qualifying facilities with purchased power agreements, and customer-owned renewable energy resources.

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## FUEL COST RECOVERY

During November 17-18, 2022, the FPSC held its annual cost recovery clause hearing to address the true-up of 2021 and 2022 fuel costs, establish 2023 fuel costs, and further establish the 2023 fuel cost recovery factors for the four electric IOUs. As a result of decisions made at the hearing, the four electric IOUs' authorized fuel cost recovery factors will be higher in 2023.

For DEF, the fuel cost recovery portion of the bill for a residential customer using 1,000 kWh of electricity will increase by \$16.23 per month in 2023. Other authorized 2022 net changes to base rates charges, cost recovery amounts, and taxes result in a total bill that is, on average, \$22.45 per month higher.

For FPL (which now includes the former Gulf Power Company), higher projected fuel costs and resulting fuel factors for 2023 will be reflected in customer bills beginning in January. The fuel cost recovery portion of the bill for a residential customer using 1,000 kWh of electricity will increase by \$2.58 per month in 2023. While most of the bill-component amounts are the same for FPL and FPL NW, there are some differences. For the historical FPL service territory, net changes to other cost recovery amounts and taxes will result in a total bill that is

\$8.92 per month higher than at the end of 2022. For the FPL NW (former Gulf) service territory, net changes to other cost recovery amounts and taxes will result in a total bill that is \$4.20 per month higher than at the end of 2022. The main differences between the two bill impacts are differences in temporary transition (to a unified rate structure) rider amounts and a temporary \$11.00 per month (residential) storm restoration surcharge applicable to FPL NW customers only.

For TECO, the fuel cost recovery amount and resulting factors will be higher in 2023 than those charged in 2022. The fuel cost recovery portion of the bill for a residential customer using 1,000 kWh of electricity will increase by \$7.34 per month in 2023. Other net changes to cost recovery amounts and taxes will result in a total 2023 bill that is \$14.20 per month higher than at the end of 2022.

For FPUC in 2023, fuel cost recovery amounts and factors are significantly higher compared to December 2022. The fuel cost recovery portion of the bill for a residential customer using 1,000 kWh of electricity will increase by \$29.55 per month beginning in 2023. Other net changes will result in a total bill that is \$30.09 per month higher than at the end of 2022.

In addition to setting 2023 fuel cost recovery factors for the electric IOUs at the November 2022 Cost Recovery Clause hearing, the Commission also set the 2023 maximum levelized factor cap that investor-owned natural gas companies are allowed to charge their customers for purchased natural gas. PGS, FCG, FPUC, and St. Joe Natural Gas Company (SJNG) are utilities subject to the purchased gas adjustment (PGA). Although similar to the electric utility fuel clause in providing dollar-for-dollar recovery of expenditures, the PGA is unique in that utilities may adjust, or "flex down" on a month-to-month basis, the recovery factor to an amount

lower than the cap to more closely match expected monthly costs. The bill impact for a residential customer using 20 therms, based on the 2023 PGA cap, will be \$34.25 for FCG, \$29.93 for PGS, \$29.90 for SJNG, and \$28.38 for FPUC.

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## STORM RESTORATION COST RECOVERY

Florida electric IOUs incur costs related to damage caused by named storms. Utilities seeking to recover storm restoration costs outside a rate case must file a petition with the Commission. The requested costs are audited and analyzed to determine whether they meet the criteria for recovery per Commission rule. During 2022, the dockets opened to address storm costs related to Hurricanes Sally and Zeta for FPL NW were combined with the docket opened to address final storm restoration costs from Hurricane Isaias and Tropical Storm Eta for FPL. The Commission held a hearing in July 2022 to address the combined dockets. In November 2022, the Commission approved storm surcharges for FPL NW incurred costs for Hurricanes Sally and Zeta, as well as the costs FPL recovered through base O&M expense for Hurricane Isaias and Tropical Storm Eta.

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## STORM PREPAREDNESS INITIATIVE

On May 17, 2022, FPSC staff held a hurricane season preparedness workshop. Representatives of Florida’s four IOUs, JEA (City of Jacksonville), and Talquin Electric Cooperative, Inc. each made presentations about their hurricane preparedness processes. The presentations included discussions on vegetation management, pole inspections, storm preparedness, customer communications, and lessons learned.

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## STORM PROTECTION PLAN and COST RECOVERY

In 2019, the Legislature enacted Section 366.96, F.S., which requires each electric public utility to file a transmission and distribution Storm Protection Plan (SPP) for Commission approval at least every three years that covers the utility’s immediate ten-year planning period. The SPPs are intended to strengthen electric infrastructure to reduce outage times and restoration costs associated with extreme weather events and to enhance reliability. Section 366.96(7), F.S., establishes the Storm Protection Plan Cost Recovery Clause (SPPCRC), which allows utilities to annually recover the prudently incurred costs of implementing their SPPs.

The Commission adopted two rules to administer the legislation. Rule 25-6.030, F.A.C., requires each utility to file a ten-year SPP to be updated at least every three years. Rule 25-6.031, F.A.C., provides that after a utility has filed its SPP, it may petition the Commission for recovery of implementation costs through the SPPCRC.

On April 11, 2022, DEF, FPL, and TECO each filed their second SPPs for Commission approval. These plans are largely a continuation of the IOUs’ initial Commission-approved SPPs with the addition of some newly proposed programs. The Commission approved the initial SPPs through individual settlement agreements. In addition, FPUC filed its first SPP for Commission approval on April 11, 2022.

The Commission held a technical hearing on August 2-4, 2022, to address all four dockets. On October 4, 2022, the Commission voted to approve the plans with modifications. The modified plans were filed within 30 days of the final order for administrative approval.

On December 9, 2022, the Office of Public Counsel filed Notices of Appeal in the Florida Supreme Court of the Commission’s final orders approving, with modifications, the Storm Protection Plans of the four IOUs.

The Commission convened an administrative hearing on November 17, 2022 for the recurring SPPCRC docket to address cost recovery for utility SPP implementation costs. At the hearing, the Commission approved cost recovery amounts and rates to be applied to customer bills in 2023.

On December 19, 2022, the Office of Public Counsel filed a Notice of Appeal in the Florida Supreme Court on the Commission’s final order approving storm protection plan cost recovery amounts for 2023.

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## **POLE INSPECTION and MAINTENANCE**

On July 1, 2021, the Florida Legislature amended Section 366.04, F.S. requiring the FPSC to adopt rules to administer and implement the amended section. Section 366.04(9), F.S., gives the FPSC authority to regulate the safety, vegetation management, repair, replacement, maintenance, relocation, emergency response, and storm restoration requirements for poles of communication services providers that have public utilities attached. On April 12, 2022, the Commission adopted Rule 25-18.020, F.A.C., Pole Safety, Inspection, Maintenance, and Vegetation Management, which became effective May 1, 2022.

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## **TERRITORIAL AGREEMENTS & DISPUTES for ELECTRIC & GAS UTILITIES**

Section 366.04, F.S., gives the Commission authority to approve territorial agree-

ments and resolve service territory disputes between utilities. In 2022, the Commission approved territorial agreements between Sumter Electric Cooperative, Inc. and the City of Bushnell; and between the City of Lakeland (on behalf of Lakeland Electric) and the City of Bartow.

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## **CONSERVATION ACTIVITIES for ELECTRIC AND GAS UTILITIES**

The Florida Energy Efficiency and Conservation Act (FEECA), enacted in 1980, emphasizes reducing the growth rates of weather-sensitive peak demand, reducing and controlling the growth rates of electricity consumption, and reducing the consumption of scarce resources, such as petroleum fuels. During the 2008 legislative session, the Legislature amended FEECA to place greater emphasis on the pursuit, through utility-sponsored incentives, of all cost-effective customer conservation and energy efficiency measures, including demand-side renewable energy systems. Under FEECA, the FPSC must establish numeric conservation goals for each FEECA utility at least every five years. FEECA goals were most recently set by the FPSC in 2019. At that time, the Commission decided to continue the existing goals established in the 2014 goal-setting proceeding and for the one applicable gas utility, Peoples Gas System (PGS), to establish goals based on its existing programs.

To implement the goals, each FEECA electric utility must file Demand-Side Management (DSM) plans within 90 days of the final order outlining a set of programs for residential and commercial/industrial customers designed to meet the FEECA goals. In 2020, the Commission approved plans for all seven electric FEECA utilities (FPL, DEF, TECO, Gulf, FPUC, Orlando Utilities Commission, and JEA), which began implementing the new and modi-

fied programs by the end of 2020. With the merger of FPL and Gulf in 2021, the Commission approved a revised DSM Plan to reflect the combined goals of the two entities. In 2021, the Commission approved plans from its sole natural gas FEECA utility, PGS, which will be implemented by the end of the year.

In 2020, the Commission initiated a rulemaking process to review Rule 25-17.0021, F.A.C., Goals for Electric Utilities. Staff held two rule development workshops in 2021 and one workshop in 2022. Participants included utility representatives, the Office of Public Counsel, and numerous interested public and private organizations.

In 2022, the Commission evaluated each FEECA utility's achievements in meeting its established 2021 conservation goals. This evaluation was incorporated into the Commission's Annual Report on Activities Pursuant to the Florida Energy Efficiency and Conservation Act, which the Commission approved in November 2022 for submission to the Governor and Legislature.

Each year, the Commission audits and evaluates FEECA program expenses and holds an evidentiary hearing to determine the appropriate conservation cost recovery factors for customers' bills. In November 2022, the Commission set the 2023 conservation cost recovery factors for the electric IOUs, which range from \$1.13 to \$3.20 a month for a residential customer using 1,000 kWh. In addition, the Commission set the 2023 conservation cost recovery factors for the natural gas IOUs, which range from \$1.77 to \$5.45 a month for a residential customer using 20 therms.

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## RENEWABLE ENERGY INITIATIVES

### *Renewable Energy Standard Offer Contracts*

Section 366.91, F.S., requires the utilities subject to the Florida Energy Efficiency and Conservation Act to continuously provide a standard contract for purchasing capacity and energy from renewable energy resources. Contracts are filed annually on April 1 based on each fossil-fuel generating technology type in a utility's Ten-Year Site Plan. In 2022, the Commission approved standard contracts for each IOU to purchase renewable energy.

Currently, renewable energy facilities provide approximately 7,584 MW of firm and non-firm generation capacity, which represented 9.2 percent of Florida's overall generation capacity of 63,895 MW in 2021. Approximately 2,790 MW are considered firm, based on either operational characteristics or contractual agreement. Solar generation contributes approximately 2,458 MW to this total, based on the coincidence of solar generation and summer peak demand. Firm renewable generation is relied on to serve customers and contributes toward the deferral of new fossil-fueled power plant construction.

The remaining renewable generation produces energy on an as-available basis or for internal use (self-service). As-available energy is considered non-firm and is not counted on for reliability purposes; however, it contributes to the avoidance of burning fossil fuels in existing generators.

### *Utility-Scale Solar Generation*

As of 2021, approximately 4,490 MW of utility-scale solar was installed in Florida. The Commission has approved cost recovery for approximately 2,500 MW of the total for FPL, DEF, and TECO under Solar Base Rate Adjustments (SoBRA) mechanisms included in each company's respec-



tive 2016 and 2017 rate case settlements. During 2021, the Commission approved several base rate settlement agreements that included additional utility-scale solar generation. FPL's Settlement expanded the existing 1,490 MW SolarTogether Program by an additional 1,788 MW through 2025.

TECO's Settlement featured two Generation Base Rate Adjustments (GBRAs) for an additional 373.5 MW of solar through 2024. In May 2021, the Commission approved DEF's Clean Energy Connection program, a community solar program which is projected to add 750 MW through 2024. This decision is currently under litigation.

### ***Customer-Owned Renewables***

In 2008, the Commission amended Rule 25-6.065, F.A.C., to facilitate customer-owned renewable generation by expanding the size of systems qualifying for expedited interconnection and establishing a requirement to allow net metering. The rule requires IOUs to offer a standard interconnection agreement with an expedited interconnection process and net metering for all types of customer-owned renewable generation up to 2 MW in capacity. The Florida Legislature also extended net metering requirements to municipal and rural electric cooperative utilities. Customers benefit from renewable systems by reducing their energy purchases from the utility. Under the Commission's rule, net metering provides an additional benefit for IOU customers by allowing excess renewable energy production to be credited to monthly bills, thereby reducing future energy purchases from the utility.

Reports submitted in April 2022 by the IOUs and municipal and rural electric utilities show that the number of customers owning renewable generation

systems in Florida continues to grow. In 2008, when the rule became effective, 577 customer-owned renewable generation systems accounted for 3 MW of renewable capacity. At year-end 2021, there were 130,947 customer-owned systems interconnected, amounting to approximately 1,177 MW of renewable capacity. The FPSC will continue to enforce existing renewable policies and explore additional policies to benefit Florida's consumers.

### ***Electric Vehicle Infrastructure Master Plan***

On March 11, 2020, the Florida Legislature enacted Section 339.287, F.S., requiring the Florida Department of Transportation, in consultation with the Florida Public Service Commission and the Office of Energy in the Florida Department of Agriculture and Consumer Services, to coordinate, develop, and recommend a Master Plan for the development of electric vehicle charging infrastructure along the State Highway System.

To develop the information required by Section 339.287, F.S., Commission staff requested comment on the appropriate regulatory structure for delivery of electricity to electric vehicle charging stations, along with other topics identified in the statute. The Commission received comments from 15 stakeholders, including charging station companies, electric vehicle and environmental advocacy groups, and electric utilities. Commission staff then held a workshop on October 21, 2020, to discuss the comments filed by stakeholders in support of the Master Plan and followed up by accepting post-workshop comments. Commission staff worked closely with staff at the Florida Department of Transportation and the Office of Energy to develop the required analysis. The plan was delivered to the Governor, the President of the Senate, and the Speaker of the House of Representatives on July 1, 2021.

### ILEC WHOLESALE PERFORMANCE MEASURES

The Commission is responsible for ensuring that incumbent local exchange carriers (ILECs) meet their obligation to provide unbundled access, interconnection, and resale to competitive local exchange companies (CLECs) in a nondiscriminatory manner. To ensure that ILECs meet their obligations, the Commission adopted wholesale performance measurement plans for the three largest ILECs operating in Florida: AT&T, CenturyLink, and Frontier. The plans establish a minimum acceptable wholesale service quality level that the three ILECs must provide to the CLECs.

Each ILEC furnishes monthly performance reports to the Commission for review and assessment. Commission staff applies trending analysis to detect and correct any degradation in the quality of wholesale service provided to CLECs.

Wholesale service quality is measured in ordering, provisioning, and repair timeliness.

### INTERCARRIER RELATIONS

The FPSC is authorized by state and federal law to arbitrate and enforce interconnection agreements (ICAs). When carriers cannot agree to the terms or an interpretation of their ICA, they file a complaint with the FPSC for dispute resolution. During this process, the FPSC will often facilitate an agreement among the parties, and their complaint will be withdrawn.

### NUMBERING RESOURCES

The FPSC is responsible for determining the appropriate form of area code relief when telephone numbers exhaust within an area code. While several methods are available to handle area code exhaust issues, an overlay has been the preferred method. An overlay adds a new area code to the same geographic area served by the area code requiring relief. This results in assigning more than one area code to the same Numbering Plan Area (NPA). Current customers keep their existing area code and number; however, new customers or customers adding additional lines receive the new area code. Once an overlay is implemented, the FCC requires 10-digit dialing for all local calls within the NPA.

In 2022, the Commission approved two overlay relief plans. The first approved overlay was for the 305/786 area code, which serves Miami-Dade County and the Florida Keys. The new area code, 645, will be implemented in the third quarter of 2023. The second approved overlay was for the 904 area code, which serves all or most of Nassau, Duval, Baker, Bradford, Clay, St Johns, and Union Counties. The new area code, 324, will be implemented in 2024.

### LIFELINE ASSISTANCE for LOW-INCOME CONSUMERS

The Tele-Competition Innovation and Infrastructure Enhancement Act of 2003 requires a statewide cooperative effort to support the Lifeline Assistance (Lifeline) program in Florida. As part of the federal Universal Service Program, Lifeline is designed to make telecommunications services more affordable for low-income households. This is done by providing up to a \$9.25 discount on monthly phone or broadband bills. Alter-

natively, consumers can choose monthly wireless minutes and/or measured data service from designated wireless providers.

In December 2019, the Lifeline reimbursement for voice-only customers was reduced to \$7.25 a month as part of the FCC’s 2016 Lifeline Modernization Order (2016 Order). Beginning on December 1, 2020, support for voice-only service was further reduced to \$5.25 and was scheduled to be completely phased out on December 1, 2021. However, the FCC has twice delayed the complete phase-out of voice-only Lifeline support. Pursuant to its most recent Order, support for voice-only Lifeline services will continue to be available through November 30, 2023.

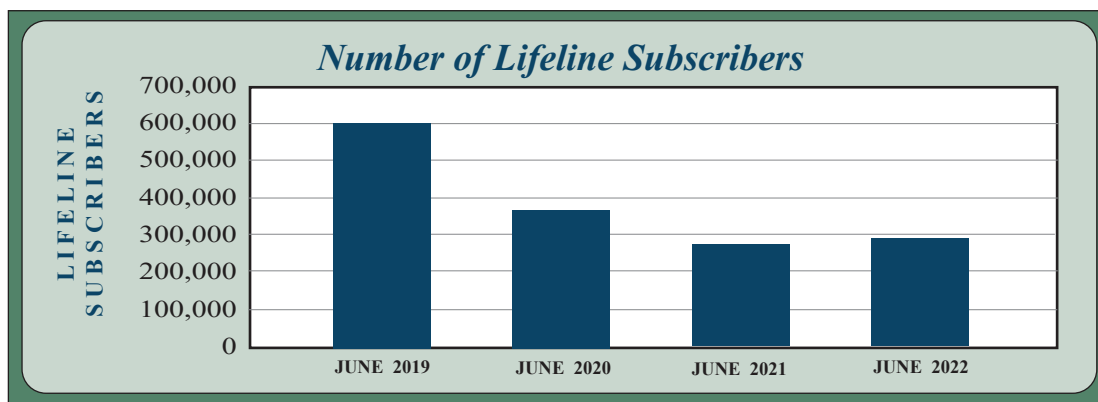
In the 2016 Order, the FCC also charged the Universal Service Administrative Company (USAC) with establishing a single system of Lifeline subscriber verification, known as the National Lifeline Eligibility Verifier (National Verifier). The National Verifier aims to determine initial subscriber eligibility, conduct annual recertification, populate a national database of Lifeline customers, and provide support payments to providers serving these

customers. New Lifeline customers may apply for the Lifeline program through the National Verifier online or by mailing a physical copy of the application to USAC.

Dozens of local, state, and federal agencies, organizations and businesses, and telecommunications companies were involved in the collaborative effort to increase awareness and participation in the Lifeline program in 2022. The FPSC sent out more than 41,000 letters to eligible households identified in coordination with the Florida Department of Children and Families. These letters included instructions on how to apply for Lifeline and contact information for companies offering Lifeline. Additional promotional activities in 2022 featured National Consumer Protection Week and ongoing efforts to increase awareness and enrollment in the Lifeline program.

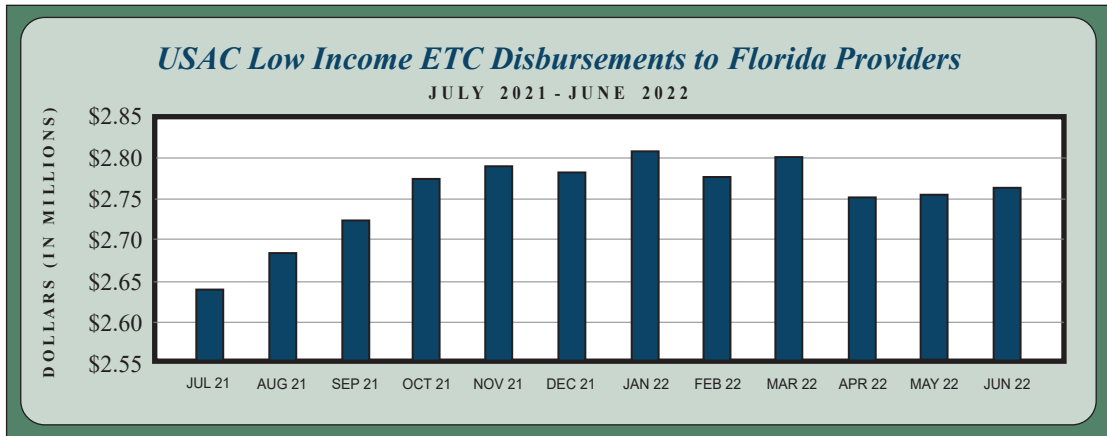
National Lifeline Awareness Week is observed each September (September 12-16, 2022). “Stay Connected Florida!” was Florida’s 2022 Lifeline Awareness Week (LAW) slogan. Florida’s outreach targeted senior and community centers in Columbia, Palm Beach, Alachua, Lee, and Polk Counties.

As of June 2022, 300,285 Florida households participated in the Lifeline Program. The five companies with the highest Lifeline enrollment in Florida were Assurance Wireless, SafeLink Wireless, Access Wireless, T-Mobile, and CenturyLink, collectively serving 99 percent of Florida Lifeline customers. The following chart shows the number of Lifeline subscribers from June 2019 through June 2022.



Source: Industry Responses to FPSC Data Requests (2019-2022)

The following chart shows the USAC’s Florida Lifeline disbursements for the 12 months ending June 2022. The amount disbursed totaled \$33,041,313, an average of \$2.75 million per month. These amounts also include support corrections or true-ups from prior months when errors are made.



Source: USAC Disbursements Florida July 2021-June 2022, w/amended data for SafeLink & Assurance Wireless.

Source: Industry Responses to FPSC Data Requests (2019-2022).

To prevent a Lifeline subscriber from receiving duplicate Lifeline benefits, USAC established a National Lifeline Accountability Database to determine if a prospective subscriber is already receiving Lifeline support from another eligible telecommunications carrier (ETC). FPSC staff has read-only access to the NLAD database and can use the information generated by the reports for Lifeline customer issues.

Additional information about the FPSC’s 2022 Lifeline activities and a complete list of the Lifeline Partners assisting with promotional efforts are available in the FPSC’s report, Number of Customers Subscribing to Lifeline Service and the Effectiveness of Procedures to Promote Participation. A printed copy of the report may be requested from the FPSC or accessed here, under the PSC Publications tab, on the FPSC website.

## ACTIONS TAKEN BY THE FPSC on UNIVERSAL SERVICE

The FPSC continues to enforce safeguards to prevent waste, fraud, and abuse of the federal Universal Service Fund (USF) and takes appropriate action when necessary. The FPSC monitors Lifeline disbursements from the USF monthly to determine if reported and reimbursed funds are consistent with the number of actual Lifeline customers.

On December 7, 2020, the FCC announced the winning bidders of the Rural Digital Opportunity Fund (RDOF) auction. The RDOF is a form of high-cost

support intended to help connect millions of unserved rural homes and small businesses to high-speed broadband. In Florida, 11 bidders were initially selected to receive approximately \$192 million of high-cost support in Phase I. As a condition of receiving funding, the carriers were required to obtain ETC designation that covered their winning bid areas.

Following the completion of the RDOF bidding process, the FPSC was tasked with processing ETC applications for several winning bidders. If a company’s ETC application is approved, it’s eligible for high-cost support under the RDOF program, but also has to offer Lifeline service. The FPSC has jurisdiction to evaluate and grant ETC designation for wireline

carriers. Florida law excludes wireless and Voice over Internet Protocol service from the FPSC’s jurisdiction, so companies providing those services must obtain ETC designation from the FCC. Between January 4, 2021, and August 3, 2021, the FPSC evaluated petitions for ETC designation from six companies relating to the RDOF. Four ETC petitioners were directed to apply for ETC designation with the FCC due to a lack of Commission jurisdiction, while two were granted ETC designation. Following the ETC designation process and other FCC requirements, seven carriers were ultimately approved and have begun receiving approximately \$152 million in RDOF Phase I high-cost support in Florida.

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## FLORIDA RELAY SERVICE

Section 427.704, F.S., charges the Commission with overseeing the administration of a statewide telecommunications access system that provides basic Telecommunications Relay Service (TRS) and Captioned Telephone Service (CTS), along with related specialized equipment to Floridians who are deaf, hard-of-hearing, or speech impaired.

Basic TRS and CTS facilitate telephone calls between people with hearing loss or speech disabilities and other individuals by using special equipment and a communications assistance operator to relay

information. A monthly bill surcharge of up to \$0.25 per landline telephone funds the distribution of specialized telecommunications devices and intrastate relay service. The current surcharge is \$0.10 per landline telephone.

In 2021, the Commission opened a docket to request proposals from companies to provide relay service in Florida after the conclusion of the prior contract. Two companies filed proposals, Hamilton Relay and Sprint Communications Company, L.P. (Sprint). After reviewing the technical, financial, and price elements of each proposal, the Commission selected Sprint’s proposal on October 12, 2021. Sprint’s relay contract is for three years, beginning on March 1, 2022. The contract contains extension options for four additional one-year periods.

The distribution of equipment necessary to complete relay calls is administrated by Florida Telecommunications Relay, Inc. (FTRI) with Commission oversight. On February 25, 2022, FTRI filed its proposed Fiscal Year 2022-2023 budget for FPSC consideration. At the July 7, 2022 Commission Conference the FPSC approved FTRI’s 2022-2023 Fiscal Year budget of \$3,961,745 while maintaining the monthly surcharge at \$0.10 per month.

Additional information about the statewide relay system is available in the FPSC’s annual Relay report, available here on the agency’s website under the PSC Publications tab.

## FEDERAL ACTIVITY

### *Energy*

The FPSC actively monitors federal energy-related issues, including Congressional legislation and activities at the Federal Energy Regulatory Commission (FERC) and the U.S. Environmental Protection Agency (EPA). Section 366.015, F.S., directs the Commission to maintain

a liaison with federal agencies whose policy decisions and authority affect electric and gas utilities under the Commission’s jurisdiction. Active participation in federal agency processes is encouraged to convey the Commission’s policy positions to provide more efficient regulation. During 2022, the Commission monitored actions

by the FERC on electric utility transmission planning compliance filings and other rulemaking activities. Also, the Commission continued its review of activity related to the EPA's rules on carbon emissions from existing and new electric generating units, including appellate court actions.

### ***Telecommunications***

The FPSC actively monitors federal telecommunications issues. Section 364.012, F.S., encourages participation in federal agencies' cases that might affect Florida consumers to convey the FPSC's policy positions. The Commission files comments with the FCC in response to actions that can affect Florida citizens and

periodically informs the Florida Congressional delegation and other affected state agencies on federal issues. Areas of particular emphasis include proceedings relating to the federal USF, intercarrier compensation, and telephone relay. Each of these areas can and does have substantial financial impacts on Florida carriers and telecommunications consumers. For example, Florida is the third largest net contributor state to the USF, and the FPSC has consistently taken positions before the FCC to reduce and/or limit the growth of the fund's size. In addition to these issues, the FPSC monitored several FCC proceedings, including net neutrality and carrier responses to hurricane outages.

## **WATER & WASTEWATER**

### ***Water & Wastewater Rate Cases***

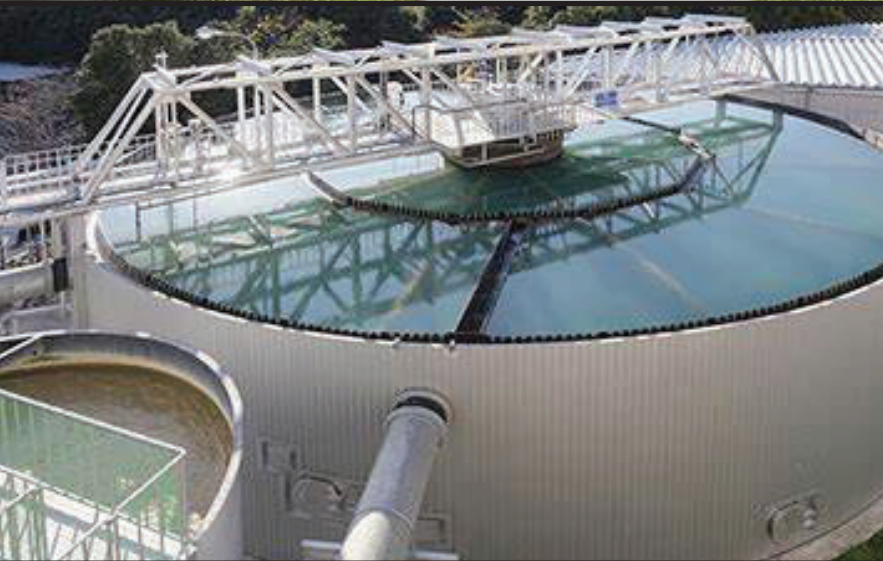
Depending on the utility's request, water and wastewater rate cases are processed as staff-assisted rate cases, limited alternative rate increase cases, limited proceedings, or file and suspend rate cases. In 2022, the Commission processed seven staff-assisted rate cases pursuant to Section 367.0814, F.S. The Commission also processed one file and suspend rate case.

In 2022, staff continued to perform normal surveillance of the earnings levels of water and wastewater companies regulated by the FPSC. A few utilities were identified for potential overearnings that are subject to refund and pending further review.

### ***Water & Wastewater Certification Cases***

In 2022, the Commission processed two applications for original certificates for Citra Highlands Water System, LLC and Gulfstream Utility, LLC. The Commission received one application for an amendment to a certificate from Cobblestone II RVG, LLC. The Commission received two applications for transfer of facilities and certificates in 2022 from Grenelefe Resort Utility, Inc. and River Grove Utilities, Inc. and six separate applications from CSWR Florida Utility Operating Company, LLC. In 2022, the Commission did not receive any applications for grandfather certificates or transfer requests to a governmental authority with subsequent certificate cancellations.







# FPSC ORGANIZATION

*Description of the FPSC's divisions and offices and their functions.*

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The Commission consists of five members appointed by the Governor and confirmed by the Senate. Commissioners serve four-year terms, as provided in Chapter 350, F.S.

Commissioners are selected for their knowledge and experience in one or more fields substantially related to the duties and functions of the Commission. These fields include economics, accounting, engineering, finance, natural resource conservation, energy, public affairs, and law.

Created by the Florida Legislature in 1887, the FPSC was originally called the Florida Railroad Commission and primarily regulated railroad passenger and freight rates and operations. As Florida grew, the Commission's purpose expanded.

In 1911, the Legislature added regulation of telephone and telegraph companies.

In 1929, jurisdiction was granted over motor carrier transportation.

In 1951, the Commission began regulating investor-owned electric companies.

In 1952, jurisdiction was extended to the regulation of natural gas utilities.

In 1959, the Commission began regulating privately owned water and wastewater systems.

The Commission's divisions and offices are described in the next section, concluding with a list of all past and present Florida Public Service Commissioners.

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### ***Keith Hetrick, General Counsel***

The Office of General Counsel provides legal counsel to the Commission on all matters under the Commission's jurisdiction. This office also supervises the procedural and legal aspects of all cases before the Commission. In addition, this office assists in responding to inquiries from the Legislature.

The office is responsible for defending Commission orders on appeal, defending Commission rules challenged before the Division of Administrative Hearings, and representing the Commission before state and federal courts. To assist FPSC offices and divisions, this office offers support in making filings with, or presentations to, other federal, state, or local agencies. The office advises in the promulgation of rules and attends or conducts rulemaking hearings at the Commission's direction. It also reviews procurement contracts and counsels the Commission on ethics, personnel, contractual, public records, and other administrative legal matters.

In cases involving evidentiary hearings before the Commission or an Administrative Law Judge, the office is responsible for conducting discovery, presenting staff positions and testimony, and cross-examining other parties' witnesses. In conjunction with the appropriate technical staff, this office prepares recommendations to the Commission and prepares written Commission orders.



***Tiffany Hurst, Inspector General***

The ***Office of Inspector General*** is established by law to provide a central point for coordinating activities that promote accountability, integrity, and efficiency in government. The office reports directly to the FPSC Chairman. Its responsibilities include conducting internal audits and investigations, assessing the validity and reliability of data and information produced by the Commission, and coordinating external audits and reviews of the Commission by the Auditor General and others. The office also monitors corrective actions to address identified deficiencies. These activities help management ensure that Commission programs perform as intended and that fraud or abuse is detected and eliminated.

ADMINISTRATIVE DIVISIONS & OFFICES



***Bobby Maddox, Director***

The ***Division of Administrative & Information Technology Services*** assists in preparing the Commission's Legislative Budget Request, monitors the operating and non-operating budgets, and assists in preparing budget amendments as necessary.

The ***Bureau of Administrative Services*** consists of the *Fiscal Services Section*, the *Human Resources Section*, and the *General Services Section*, which also houses the *Facilities Management & Purchasing and Support Services Sections*.

The *Fiscal Services Section* handles all financial transactions, maintains accounting records, processes travel reimbursements, pays all vendor invoices, maintains and updates property records, and prepares checks for deposit to financial institutions.

The *Human Resources Section* administers the agency's human resources program, including recruitment, selection, classification and pay, attendance and leave, performance evaluations, training and staff development, employee relations, payroll, insurance, and other employee benefit programs.

The *General Services Section* supports imaging, duplicating, mail distribution, audiovisual, hearing and conference room operations, and fax systems. This section is also responsible for agency risk management, contracts, purchasing, security and safety issues, leasing, surplus property, and fleet management.

The ***Bureau of Information Technology Services*** monitors and evaluates the information processing and telephony needs of the FPSC, proposing enhancements to information processing resources to management and providing technical support services. Additionally, the bureau manages the agency-wide cyber security awareness program to help staff develop safe computing practices and the ability to identify potentially malicious phishing attacks. This program must comply with the State of Florida's Cyber Security rule.



***Adam J. Teitzman, Director***

The ***Office of Commission Clerk***, the official keeper of the Commission’s public records, is responsible for coordinating public record requests. It records, prepares, and maintains transcripts of Commission Conferences, Internal Affairs meetings, hearings, and workshops. The office is authorized to issue subpoenas in proceedings before the Commission and is responsible for preparing, certifying, and transmitting records on appeal to the upper tribunal. The Commission Clerk, designated as the Agency Clerk and the Records Management Liaison

Officer, coordinates the FPSC’s records management program, is responsible for issuing non-Commissioner signed orders and notices, and, as the custodian of records, certifies copies of official filings.

The ***Documents and Case Management Section*** accepts and processes filings and maintains the official docket by ensuring the integrity, timeliness, and availability of filings in the Case Management System (CMS) and on the FPSC website. It is responsible for managing and coordinating the establishment of new dockets, issuance of orders and notices to parties and interested persons, case closure, and preparation of statistical and management reports. This section responds to information requests, invoices for services and, upon applicable payment, provides the responsive documents. It maintains the Master Commission Directory (MCD) of utilities and provides notification to Commission employees regarding the adoption of new or amended rules. This section also administers the records management program and activities.

The ***Events and Hearing Reporting Section*** prepares and notices events such as Commission Conferences, Internal Affairs meetings, hearings, prehearings, workshops, and rulemaking in the Florida Administrative Register. This section prepares the FPSC’s Schedule of Live Events from the established Commission calendar and provides support staff to record these events.



***Rhonda L. Hicks, Director***

The ***Office of Auditing & Performance Analysis*** conducts audits and reviews in all industries.

The ***Performance Analysis Section*** conducts utility management and operational audits and identifies areas for improvement. These audits may be limited to one company or conducted on a comparative basis between several companies. Areas for investigation may include internal controls, process or procedure analysis, construction project management, quality assurance,

service quality, and rule compliance. Special investigations are also conducted relating to allegations of utility fraud, mismanagement, and other whistleblower complaints.

The ***Bureau of Auditing*** is responsible for audits and reviews in all industries. The audits and reviews include financial, compliance, billing, and verification. The auditors conduct examinations of utility-related financial and operating records and provide independent verification of the supporting documentation for any statements or filings made by regulated companies. Financial audits are conducted in conjunction with utilities’ requests for rate increases through rate cases or the annual cost recovery clauses to ensure rate-payers only pay for prudently incurred expenses.



***Cindy Muir, Director***

The ***Office of Consumer Assistance & Outreach*** is the Commission’s liaison with the public and the media. Providing consumer assistance and education, the Bureau of Consumer Assistance receives, processes, and resolves consumer complaints and informal disputes between customers and utilities. Consumers may file complaints via a toll-free telephone number or online and by mail, fax, or e-mail. In addition to helping resolve complaints, the bureau provides consumer information about utility payment plans, statutes and rules governing utility companies, and the status of pending cases before the FPSC.

By producing and distributing the agency’s news releases and maintaining familiarity with a broad array of dockets, issues, and related activities affecting consumers or having media interest, the *Outreach Section* ensures that timely, accurate information is disseminated to the public. This section handles media inquiries, plans and schedules monthly outreach events, and also participates in community meetings, consumer forums, and customer meetings and hearings by presenting agency information and distributing a variety of consumer publications, including information on the Lifeline Assistance program.

Other office responsibilities include selecting locations and coordinating logistics for customer service hearings, handling consumer outreach and media at customer meetings and service hearings, updating information and processing submissions to the agency’s website, and, when needed, managing incoming calls to the Commission Suite.

The office also coordinates and produces several FPSC reports and publications, including the *FPSC Annual Report*, *Comparative Rate Statistics*, *Facts & Figures of the Florida Utility Industry*, *The Statement of Agency Organization & Operations*, *Inside the PSC*, and the quarterly *Consumer Connection E-Newsletter*.

## TECHNICAL DIVISIONS & OFFICES



***Andrew L. Maurey, Director***

The ***Division of Accounting & Finance*** reviews the revenue requirements of rate base regulated electric, natural gas, and water and wastewater utilities and monitors earnings for these industries through reviews of surveillance filings and utility annual reports. The division manages the utilities’ annual report process including all disseminations, extensions, filings, delinquency notices, penalty letters, and show cause recommendations.

The division is also responsible for processing requests for base rate changes requested by electric, natural gas, and water and wastewater utilities, as well as Commission-initiated overearnings investigations. Processing base rate change requests include analyzing filings, expert testimony, and exhibits; developing interrogatories and production of document requests; preparing cross-examination questions; presenting staff testimony; hold-

ing customer meetings; and presenting recommendations to the Commission, including a recommended return on equity. The division is also responsible for reviewing storm cost recovery petitions, evaluating petitions for regulatory assets, and assessing the revenue requirement effect of tax law changes on regulated electric, natural gas, and water and wastewater utilities. Water and wastewater utilities' requests for index and pass through rate adjustments and staff-assisted rate cases are also processed by the division.

In addition, the division makes recommendations to the Commission on annual fuel cost recovery clause petitions filed by electric utilities. Recommendations are provided on fuel costs, purchased power costs, and capacity costs. The division also monitors monthly electric utilities' fuel costs.

Other responsibilities include processing petitions for the securitization of Commission-approved costs related to storm damage, processing applications from investor-owned natural gas and electric utilities regarding allowance for funds used during construction and security issuances, evaluating requests for corporate undertakings, analyzing income tax issues, and calculating the interest on refunds.



***Tom Ballinger, Director***

The ***Division of Engineering*** is responsible for providing recommendations pertaining to technical issues coming before the Commission. Issues may include evaluation of engineering capital cost estimates and actual utility plant expenditures, determination of annual revenue requirements and life cycle costs, establishment of adequate margins of reserve, and analysis of operating and maintenance costs. Additionally, the division is responsible for cost-effectiveness determinations, considering the impacts on Florida's consumers, regulated industries, and the regulatory environment.

All docketed and undocketed matters involving the engineering and safety aspects of Florida's electric, natural gas, and water and wastewater utilities within the Commission's jurisdiction are the division's responsibility. The division has primary responsibility for programs such as the Ten-Year Site Plans, conservation goals and programs, cogeneration and renewable generation contract approvals, modifications and buyouts, and bulk power interconnection standards. The division also coordinates issue resolutions pertaining to storm hardening protection plans, construction standards, pole attachment issues, meter accuracy and testing, electric and gas pipeline safety, emergency planning and operations, water and wastewater margin of reserve, and used and useful determinations.

The division annually prepares the Review of Ten-Year Site Plans, the Review of Florida's Investor-Owned Electric Utilities Service Reliability Reports, and the Annual Status Report on Storm Protection Plan Activities of Florida Investor-Owned Utilities. The division is also responsible for staffing the Emergency Support Function 12 in the Emergency Operations Center to provide outage and restoration information regarding electric and natural gas service during a state of emergency.



***Judy Harlow, Director***

The ***Division of Economics*** provides recommendations to the Commissioners on the design and application of retail rates and tariffs for all electric, natural gas, and water and wastewater utilities subject to the Commission’s jurisdiction. In addition, the division provides primary technical support for all cases involving territorial agreements or disputes for electric and natural gas utilities and natural gas transportation agreements. On a rotating basis, the division is also responsible for processing requests for base rate changes from electric, natural gas, and water and wastewater utilities.

The division provides recommendations pertaining to the development and application of depreciation rates and practices for inclusion in base rate revenue requirements. Also, the division has primary responsibility for the review of periodic nuclear decommissioning studies submitted by electric utilities owning nuclear power plants.

In areas closely associated with rate and tariff matters, the division reviews investor-owned electric utilities’ Load Research Sampling Plans, Load Research Studies, and Cost Studies. The division also prepares a Statement of Estimated Regulatory Cost (SERC), required by statute for all proposed and revised administrative rules. SERCs evaluate the costs and benefits of the proposed rule change, including analyses of the public and business sectors. The division is also responsible for regulatory assistance fee compliance-related matters.

The division provides analyses and recommendations regarding investor-owned utility load forecasts and other statistical projections as critical inputs to both base rate requests and system planning. Specifically, the division reviews electric and natural gas utilities’ load and customer growth for rate cases and the Review of Ten-Year Site Plans. The division also reviews long-term fuel price forecasts and developments in electric vehicle load projections as they impact system planning reviews.

In addition, the division has primary responsibility for three annual cost recovery clause proceedings. In these proceedings, investor-owned utilities are allowed to recover dollar-for-dollar reasonable and prudent costs related to: (1) electric utility conservation programs, (2) natural gas utility efficiency programs, and (3) natural gas utility gas commodity and transportation. The division has primary responsibility for preparing the annual Florida Energy Efficiency and Conservation Act Report. The division also assists the Division of Engineering in proceedings and recommendations to the Commission regarding conservation goals, plans, and programs.



***Cayce Hinton, Director***

The ***Office of Industry Development & Market Analysis*** is responsible for the critical assessment of the evolving utility industry and development of strategies that most benefit Florida’s residents. The office analyzes developing policies and prepares recommendations for implementing state and federal laws, including strategy alternatives for consideration by the Commission. The office serves as a technical liaison with the Florida Legislature and state agencies, including the Florida

Department of Agriculture and Consumer Services' Office of Energy. Also, the office monitors and advises the Commission on Congressional activities and federal agency actions that may impact Florida consumers and utilities, including the Federal Energy Regulatory Commission, the Environmental Protection Agency, the Nuclear Regulatory Commission, and the Federal Communications Commission. The office provides support to Commissioners for NARUC activities pertaining to energy, spent nuclear fuel, environmental regulations, energy efficiency, renewables, and telecommunications, as well as technical support to other staff in docketed and undocketed matters.

The office participates in special studies concerning energy policy, develops discussion papers, analyzes alternative regulatory approaches, and prepares technical analyses of special projects for all industries. The office is responsible for monitoring and conducting proceedings addressing alternative cost recovery mechanisms for the construction of new nuclear electric generation facilities, the annual Storm Protection Plan Cost Recovery Clause, and complaints regarding pole attachment rates and charges.

The office also handles issues that involve the wholesale oversight of the wireline telecommunications industry and facilitates dispute resolutions between carriers about local interconnection agreements and other wholesale issues. Companies entering an agreement can negotiate between the parties or have the FPSC arbitrate unresolved operational issues. Once an interconnection agreement is executed, the parties may come to the FPSC to resolve a dispute of contract language interpretation. The office also processes cases involving area code relief, number conservation plans, number resource reclamation, local number portability, and other numbering issues.

Florida's Lifeline Assistance Program, which provides discounted telecommunications services to low-income consumers, is monitored and the office addresses issues related to Lifeline and provides recommendations on eligible telecommunications carrier designations. The office also oversees the Florida Relay Program, which provides telecommunications services for the deaf and hard of hearing, and facilitates the resolution of consumer complaints relating to Lifeline, Telephone Relay, and payphones.

All certification filings are processed, along with the related administrative functions for all telecommunication companies and pay telephone providers. The office processes local telephone service providers' schedules of rates and terms, if filed with the FPSC, and negotiated agreements. The office monitors company compliance with various FPSC rules and initiates action if warranted. The office also acts as the FPSC's technical liaison with the Federal Communications Commission.

The office prepares several annual publications for the Commission, including *The Status of the Telecommunications Access System Act of 1991*; *Report on the Status of Competition in the Telecommunications Industry*; *Florida Lifeline Assistance*; *Report on the Efforts of the Florida Public Service Commission to Reduce the Regulatory Assessment Fee for Telecommunications Companies*; *Net Metering Report*; *Statistics of the Florida Utility Industry*; and *Long Range Program Plan*.

# FPSC COMMISSIONER HISTORY

Commissioner	Years Served	Replaced By	Appointed By
George G. McWhorter	08/17/1887 - 06/13/1891		
E.J. Vann	08/17/1887 - 06/13/1891		
William Himes	08/17/1887 - 06/13/1891		
The Commission was abolished by the Legislature in 1891, and recreated in 1897			
R.H.M Davidson	07/01/1897 - 01/03/1899	John L. Morgan	
John M. Bryan	07/01/1897 - 01/06/1903	Jefferson B. Brown	
Henry E. Day	07/01/1897 - 10/01/1902	R. Hudson Burr	
John L. Morgan	01/03/1899 - 01/08/1907	Royal C. Dunn	
R. Hudson Burr	10/01/1902 - 01/04/1927	R.L. Eaton	
Jefferson B. Brown	01/06/1903 - 01/08/1907	Newton A. Blitch	
Newton A. Blitch	01/08/1907 - 10/30/1921	A.D. Campbell	
Royal C. Dunn	01/04/1909 - 01/04/1921	A.S. Wells	
A.S. Wells	01/04/1921 - 12/16/1930	L.D. Reagin	
A.D. Campbell	11/12/1922 - 02/10/1924	E.S. Mathews	
E.S. Mathews	02/25/1924 - 01/16/1946	Wilbur C. King	
R.L. Eaton	01/04/1927 - 02/27/1927	Mamie Eaton-Greene	
Mamie Eaton-Greene	02/27/1927 - 01/08/1935	Jerry W. Carter	
L.D. Reagin	12/16/1930 - 07/06/1931	Tucker Savage	
Tucker Savage	07/06/1931 - 01/03/1933	W.B. Douglass	
W.B. Douglass	01/03/1933 - 08/04/1947	Richard A. Mack	
Jerry W. Carter	01/08/1935 - 01/05/1971	William H. Bevis	
Wilbur C. King	01/08/1947 - 07/18/1964	William T. Mayo	
Richard A. Mack	09/15/1947 - 01/05/1955	Alan S. Boyd	
Alan S. Boyd	01/05/1955 - 12/01/1959	Edwin L. Mason	
Edwin L. Mason	12/01/1959 - 01/06/1969	Jess Yarborough	
William T. Mayo	09/01/1964 - 12/31/1980	Katie Nichols	Graham*
Jess Yarborough	01/06/1969 - 01/02/1973	Paula F. Hawkins	
William H. Bevis	01/05/1971 - 01/03/1978	Robert T. Mann	
Paula F. Hawkins	01/02/1973 - 03/21/1979	John R. Marks, III	
Robert T. Mann***	01/04/1978 - 01/03/1981	Susan Leisner	Graham**
The Commission became appointive January 1, 1979			
Joseph P. Cresse***	01/02/1979 - 12/31/1985	John T. Herndon	Askew/Graham
Gerald L. Gunter***	01/02/1979 - 06/12/1991	Susan F. Clark	Askew/Graham/PSC Nominating Council
John R. Marks, III***	03/22/1979 - 03/02/1987	Thomas M. Beard	Graham**
Katie Nichols***	01/02/1981 - 01/03/1989	Betty Easley	Graham
Susan Leisner	02/16/1981 - 04/02/1985	Michael McK. Wilson	Graham
Michael McK. Wilson***	07/12/1985 - 11/22/1991	Luis J. Lauredo	Graham/Martinez
John T. Herndon	01/07/1986 - 04/17/1990	Frank S. Messersmith	Graham
Thomas M. Beard***	03/03/1987 - 08/13/1993	Diane K. Kiesling	Martinez
Betty Easley	01/03/1989 - 01/05/1993	Julia L. Johnson	Martinez
Frank S. Messersmith	06/19/1990 - 02/05/1991	J. Terry Deason	Martinez
J. Terry Deason***	02/06/1991 - 01/01/2007	Ken Littlefield	PSC Nominating Council/Chiles/Bush
Susan F. Clark***	08/15/1991 - 07/31/2000	Michael A. Palecki	Chiles/Bush
Luis J. Lauredo	01/23/1992 - 05/16/1994	Jose "Joe" Garcia	Chiles
Julia L. Johnson***	01/05/1993 - 11/15/1999	Lila A. Jaber	Chiles
Diane K. Kiesling	12/07/1993 - 01/05/1998	E. Leon Jacobs, Jr.	Chiles
Jose "Joe" Garcia***	08/19/1994 - 06/30/2000	Braulio L. Baez	Chiles
E. Leon Jacobs, Jr.***	01/06/1998 - 01/07/2002	Rudolph K. "Rudy" Bradley	Chiles
Lila A. Jaber***	02/29/2000 - 12/02/2004	Lisa Polak Edgar	Bush
Braulio L. Baez***	09/01/2000 - 01/01/2006	Katrina J. Tew	Bush
Michael A. Palecki	12/19/2000 - 01/06/2003	Charles Davidson	Bush
Rudolph K. "Rudy" Bradley***	01/02/2002 - 01/01/2006	Matthew M. Carter II	Bush
Charles M. Davidson	01/07/2003 - 06/01/2005	Isilio Arriaga	Bush
Lisa Polak Edgar***	01/02/2005 - 01/01/2017	Donald J. Polmann	Bush/Crist/Scott
Isilio Arriaga	10/06/2005 - 01/31/2007	Nathan A. Skop	Bush
Matthew M. Carter II***	01/02/2006 - 01/01/2010	Ben A. "Steve" Stevens III	Bush
Katrina J. McMurrain	01/02/2006 - 10/05/2009	David E. Klement	Bush
Ken Littlefield	01/02/2007 - 01/31/2007	Nancy Argenziano	Bush
Nancy Argenziano***	05/02/2007 - 10/12/2010	Eduardo E. Balbis	Crist
Nathan A. Skop	05/02/2007 - 01/01/2011	Julie I. Brown	Crist
David E. Klement	10/22/2009 - 05/30/2010	Art Graham	Crist
Ben A. "Steve" Stevens III	01/02/2010 - 05/30/2010	Ronald A. Brisé	Crist
Art Graham***	07/16/2010 - 01/01/2026		Crist/Scott/DeSantis
Ronald A. Brisé***	07/23/2010 - 01/01/2018	Andrew Giles Fay	Crist/Scott
Eduardo E. Balbis	11/24/2010 - 01/01/2015	Jimmy Patronis	Crist/Scott
Julie I. Brown***	01/02/2011 - 01/01/2023	Gabriella Passidomo	Crist/Scott
Jimmy Patronis	01/02/2015 - 06/25/2017	Gary F. Clark	Scott
Donald J. Polmann	01/02/2017 - 01/01/2021	Mike La Rosa	Scott
Gary F. Clark***	09/15/2017 - 01/01/2027		Scott
Andrew Giles Fay***	02/02/2018 - 01/01/2026		Scott/DeSantis
Mike La Rosa	01/02/2021 - 01/01/2025		DeSantis
Gabriella Passidomo	05/10/2021 - 01/01/2027		DeSantis

\* 2 year initial term

\*\* 3 year initial term

\*\*\* Served/serving as Chairman





FPSC Commissioners sit at the golden oak bench used in the late 1800s and early 1900s during the time of the Florida Railroad Commission. Now housed in the Historic Florida Capitol, the celebrated bench was used by Commissioners when the Railroad Commission became the Public Service Commission as its jurisdiction expanded to include more industries. Sitting from left to right are Commissioner Mike La Rosa, Commissioner Art Graham, Chairman Andrew Fay, Commissioner Gary Clark and Commissioner Gabriella Passidomo. This picture was originally featured in the May 2022 issue of Public Utilities Fortnightly.

# CONTACT INFORMATION



The Florida Public Service Commission's (FPSC or Commission) responsibilities in utility regulation directly affect the public.

The FPSC welcomes requests for information about utility regulation or utility-related matters.

Inquiries may be made in writing to the address below or by telephone, e-mail, or fax.

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
Toll-Free: 1-800-342-3552 (Nationwide)  
Toll-Free Fax: 1-800-511-0809 (Florida)

E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

Website: [www.FloridaPSC.com](http://www.FloridaPSC.com)

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