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FLORIDA PUBLIC SERVICE COMMISSION

# ANNUAL REPORT



ELECTRIC ◆ NATURAL GAS ◆ WATER & WASTEWATER ◆ TELECOMMUNICATIONS

## CHAIRMAN'S MESSAGE

The world of utility regulation continued to evolve rapidly in 2015, and in the words of Supreme Court Justice Oliver Wendell Holmes, Jr., "...the great thing in this world is not so much where we stand, as in what direction we are moving."

The Florida Public Service Commission (FPSC) continues to move in a positive direction as it adapts to rapidly emerging challenges and opportunities.

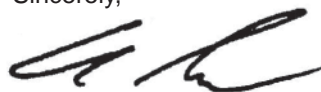
I am proud to share some of the FPSC's 2015 accomplishments:

- ◆ Commissioner Lisa Edgar and I testified before Congress on the potential impacts of EPA's proposed Clean Power Plan on Florida utility customers, and Commissioner Ronald Brisé testified on the federal Lifeline program.
- ◆ Commissioner Edgar extended the FPSC's national prominence as President of the distinguished National Association of Regulatory Utility Commissioners (NARUC). Commissioner Brisé became President of NARUC affiliate Southeastern Association of Regulatory Utility Commissioners.
- ◆ In a move to save several hundred million dollars for consumers, the FPSC approved a settlement to retire Duke Energy Florida, LLC's Crystal River 3 nuclear power plant and approved "securitization bond" financing that substantially lowered associated costs.
- ◆ Gulf Power Company's commitment to three proposed solar photovoltaic plants totaling 120 megawatts was approved, launching the state's largest solar project to date. It will fulfill the needs of military installations in Florida's Panhandle.
- ◆ With an eye to the future, we gathered input on development of solar technologies in Florida and how the FPSC can cost effectively promote solar power.
- ◆ We also approved the Florida City Gas SAFE (Safety, Access, and Facility Enhancement) program to replace aging natural gas pipes to improve safety and reliability.

Former legislator Jimmy Patronis joined "Team Florida" at the FPSC, taking up the responsibilities of outgoing Commissioner Eduardo Balbis, who was an integral part of the FPSC's new direction as a more unified and functional team.

As I turn the FPSC chairmanship over to Commissioner Julie Brown, we're heading in the right direction, and I'm confident she is the energetic leader to keep us moving forward. She is enthusiastic, passionate, genuine, and will empower Team Florida to be an even more effective collegial body for our state.

Sincerely,



Art Graham

Chairman, January 1, 2014 - January 1, 2016

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## 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.

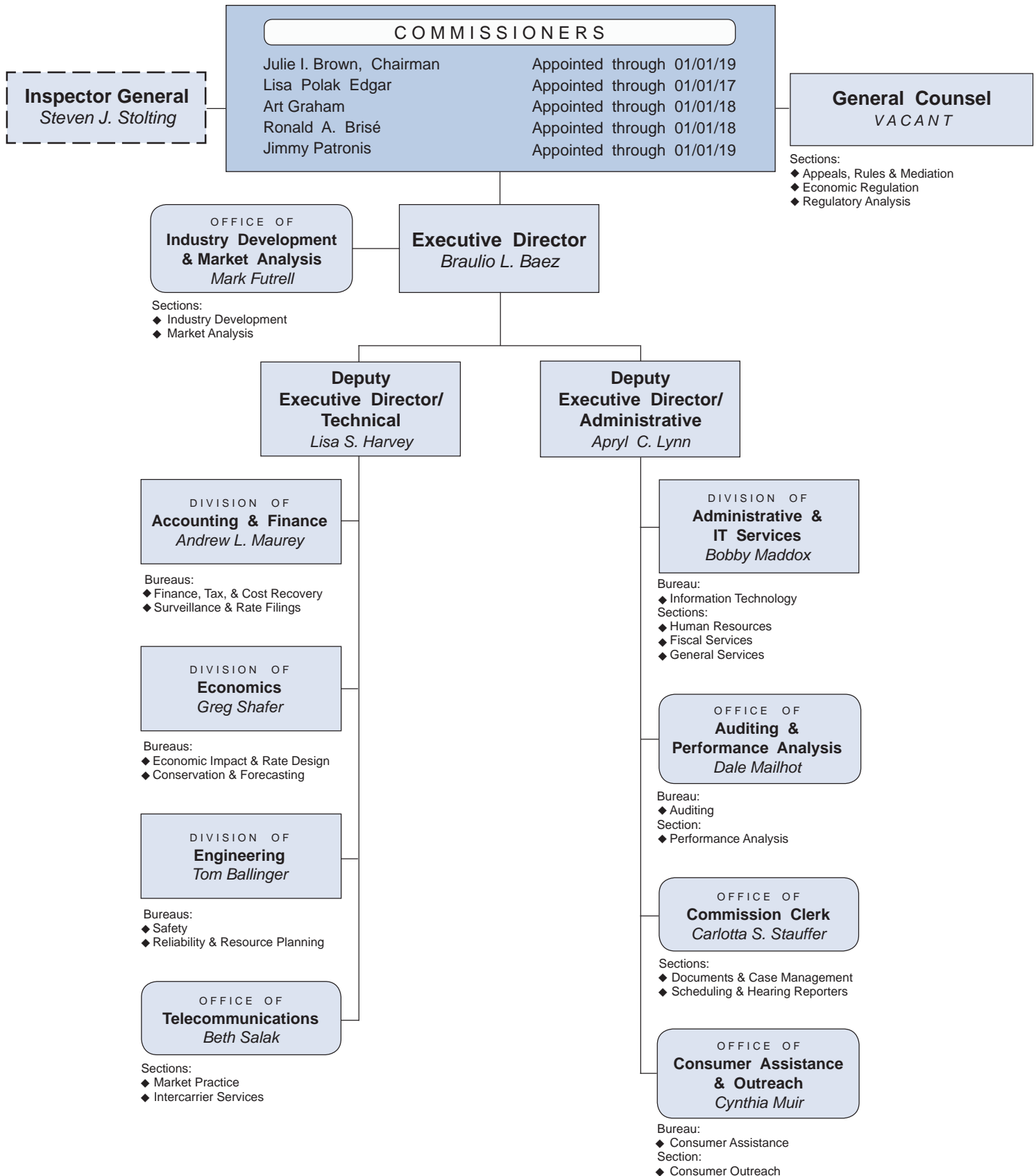
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 Internet home page: [www.FloridaPSC.com](http://www.FloridaPSC.com)  
 Twitter: @FloridaPSC

(Detailed telephone contact information is available at <http://www.floridapsc.com/AboutPSC/PhoneDirectory>)

# FPSC ORGANIZATIONAL CHART

As of January 2, 2016



# FPSC COMMISSIONERS

As of January 2, 2016



COMMISSIONER  
Ronald A. Brisé



COMMISSIONER  
Lisa Polak Edgar



CHAIRMAN  
Julie I. Brown



COMMISSIONER  
Art Graham



COMMISSIONER  
Jimmy Patronis

**Julie Imanuel Brown** was reappointed to the Florida Public Service Commission by Governor Rick Scott for a four-year term beginning January 2, 2015 and ending January 1, 2019. Elected to Chair the Commission, effective January 2, 2016, she will serve as Commission Chairman until January 2018. Chairman Brown was first appointed to the Commission by Governor Charlie Crist and was reappointed by Governor Rick Scott for a four-year term beginning January 2, 2011. Prior to her appointment, she was Associate Legal Counsel of First American Corporation, a Fortune 500 company, where she handled a variety of legal issues in the Eastern, Midwest and Mid-Atlantic Regions, including corporate compliance with regulatory authorities. ♦ Previously an Assistant City Attorney for the City of Tampa, Chairman Brown specialized in contract, regulatory and administrative law while acting as legal advisor to the City of Tampa for wastewater, stormwater, land development coordination, and other matters. She also worked as a corporate attorney at Shumaker, Loop and Kendrick, LLP in Tampa, Florida, specializing in mergers and acquisitions and securities law. ♦ Chairman Brown is a member of the National Association of Regulatory Utility Commissioners (NARUC) and serves on NARUC's Committee on Gas, Subcommittee on Nuclear Issues–Waste Disposal, and on the Gas Technology Institute's Public Interest Advisory Committee; she previously served on NARUC's Committee on Energy Resources and the Environment. A member of the Nuclear Waste Strategy Coalition since 2011, she was recently elected to serve on its Executive Committee to lead the group's efforts to expand membership. ♦ Chairman Brown chaired the Florida Legislature's Study Committee on Investor-Owned Water and Wastewater Utility Systems and serves on the New Mexico State University's Center for Public Utilities Advisory Council. Her civic affiliations have included the City of Tampa's Architectural Review Commission, the Board of Directors for the Tampa Firefighters Museum, and the Florida Bar's 13th Judicial Circuit Bar Grievance Committee. ♦ Chairman Brown graduated magna cum laude with a Bachelor of Science from the University of Florida, where she was the recipient of the Outstanding Female Leader award, President of Florida Blue Key, inducted into the Hall of Fame, and received the Dean's Cup for the College of Journalism and Communications. She earned a Juris Doctorate from the University of Florida Levin College of Law, is a member of the Florida Bar, and a member of Leadership Florida, Class XXXIII. Her graduate education included study abroad at the University of Montpellier College of Law in France. ♦ Chairman Brown and her husband have two children.

**Lisa Edgar** was appointed to the Florida Public Service Commission (PSC) by Governor Jeb Bush for a four-year term beginning January 2005. Governor Charlie Crist reappointed Commissioner Edgar to a second four-year term in 2008, and Governor Rick Scott reappointed her to a third four-year term in 2012. From January 2006 to January 2008, she served as Chairman and participated as a member of the Florida Energy Commission and the Governor's Action Team on Energy and Climate Change. ♦ In November 2014, Commissioner Edgar was elected President of the National Association of Regulatory Utility Commissioners (NARUC) for a one-year term. As NARUC President, Commissioner Edgar provides general oversight of the Association and serves as NARUC's primary voice before Congress, the courts, administrative agencies, and the general public. She is also responsible for designating members to the NARUC Board of Directors, committee leadership positions, and other Association appointments as necessary. ♦ Commissioner Edgar serves on NARUC's Executive Committee, Board of Directors, the Committees on Electricity and Consumer Affairs, and the Task Force on Environmental Regulation and Generation. She recently was appointed to the Electric Power Research Institute (EPRI) Advisory Council which advises on research in the generation, delivery, and use of electricity for the public's benefit. From 2005 through 2009, she served on the Federal Communications Commission Universal Service Joint Board working for efficient, accountable and fiscally responsible use of universal service funds. ♦ Commissioner Edgar has worked to develop policies to strengthen the state's electric infrastructure to better prepare for, and withstand, storm events; to establish net metering and interconnection rules that encourage customer participation and renewable energy development; to further the diversification of Florida's fuel supply; to effectively reform the collection and distribution of universal service funds; and to improve customer satisfaction and broaden stakeholder participation. ♦ Prior to joining the PSC, Commissioner Edgar served as Deputy Secretary for the Florida Department of Environmental Protection (DEP). Her responsibilities at DEP included executive management oversight of the agency's \$2.1 billion budget, fiscal and strategic planning, accountability measures, information technology, administrative services, Florida Geological Survey, and coordination between the state and federal government on environmental issues, including proposed and existing oil and gas drilling on the Outer Continental Shelf. Commissioner Edgar represented the State of Florida on the Minerals Management Service Outer Continental Shelf (OCS) Policy Committee from 1993-2004, and on the Subcommittees on Environmental Studies in OCS Areas under Moratoria and OCS Hard Minerals. ♦ Commissioner Edgar received her Bachelor of Science and Juris Doctorate degrees from Florida State University and is a member of the Florida Bar. She is a member of Leadership Florida and has been involved in many state and community organizations. ♦ Commissioner Edgar and her husband are members of Killlearn United Methodist Church and are raising their two active children in Tallahassee.

*Continued*

# FPSC COMMISSIONERS

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**Art Graham** was appointed to the Florida Public Service Commission by Governor Charlie Crist in July 2010 and was reappointed by Governor Rick Scott for a term through January 2018. He has served two terms as Commission Chairman: January 2014 through January 2016 and October 2010 through January 2012. During both terms, he worked with his colleagues and industry representatives 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). In January 2015, he was appointed Co-Vice Chair of the NARUC Committee on Water, which he has served on since 2010. Prior to his appointment as Commissioner, he served on 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. He also served on the Jacksonville Beach City Council from 1998 to 2002. ♦ 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, and worked on electric power generating boilers and wastewater reduction as a recovery engineer with Georgia Pacific Pulp and Paper from 1995 to 2002. A sales engineer with Betz PaperChem from 1991 to 1995, Commissioner Graham was a regional sales manager from 1989 to 1991 for Goodyear Tire and Rubber, where he also held an application engineer position from 1988 to 1989. ♦ He received a bachelor's degree in chemical engineering from the Georgia Institute of Technology in Atlanta. He is also a 2001 graduate of Leadership Jacksonville and a 2008 graduate of Leadership Florida.

**Ronald A. Brisé** was appointed to the Florida Public Service Commission by Governor Charlie Crist in July 2010 and was reappointed by Governor Rick Scott for a term through January 2018. He served as Commission Chairman in 2012-2013. ♦ Commissioner Brisé is a member of the National Association of Regulatory Utility Commissioners (NARUC) and serves in the following capacities:

- ♦ Chair, Telecommunications Act Modernization (TEAM) Task Force
- ♦ President, Southeastern Association of Regulatory Utility Commissioners (SEARUC)
- ♦ Board of Directors
- ♦ Committee on Telecommunications
- ♦ Committee on International Relations
- ♦ Subcommittee on Utility Market Access
- ♦ Board of Directors, Universal Service Administrative Company
- ♦ Intergovernmental Advisory Committee, Federal Communications Commission
- ♦ Federal-State Joint Board on Universal Service, Federal Communications Commission

He previously served on the NARUC Task Force on Federalism and Telecommunications. In addition, he is Co-Chair of the Board of Directors of the National Utilities Diversity Council. ♦ Before being appointed to the Commission, he represented District 108 in the Florida House of Representatives for four years. During his tenure, Commissioner Brisé was named Democratic Whip and served as Vice Chairman of the Florida Conference of Black State Legislators. He gained membership on several committees which produced significant legislation that tackled many of Florida's most relevant issues including energy, telecommunications, redistricting, appropriations and Medicaid reform. Commissioner Brisé also sponsored successful legislation expanding broadband deployment in Florida to address digital divide as well as legislation improving consumer protection for Floridian families. ♦ Upon graduation from college, Commissioner Brisé taught science at his alma mater, Miami Union Academy. He eventually became responsible for the school's development and fundraising operations. In 2005, he became the Chief Operating Officer at a VoIP telecommunications carrier. ♦ Commissioner Brisé began his career in public service in North Miami as a member of the North Miami Planning Commission. His civic engagements include Board Member of the North Shore Hospital and past president of the Albert C. Pierre Community Center. He is a member of the NAACP, Leadership Florida and serves on the Board of Directors of the Haitian-American Chamber of Commerce of Florida. ♦ Commissioner Brisé received a bachelor's degree in biology education from Oakwood University in Huntsville, Alabama and received MBA degrees in management and marketing from American Intercontinental University in Illinois. He and his wife, Joan, have two children, Ronald Brisé II and Elizabeth Christiane Brisé, and together are faithful members of the Seventh-day Adventist Church.

**Jimmy Patronis** was appointed to the Florida Public Service Commission (PSC) by Governor Rick Scott for a four-year term beginning January 2015. Prior to his appointment, Commissioner Patronis represented District 6 (Bay County) in the Florida House of Representatives. ♦ A member of the National Association of Regulatory Utility Commissioners (NARUC), Commissioner Patronis serves on NARUC's Committee on Consumer Affairs and Committee on Energy Resources and the Environment. ♦ Commissioner Patronis is recognized for his outstanding leadership in his hometown of Panama City and throughout Florida. He was appointed by Governors Jeb Bush and Lawton Chiles to the Florida Elections Commission. Commissioner Patronis is also a past Chairman and Board Member of the Bay County-Panama City International Airport and Industrial District. Former positions include a bank director, hospital trustee, as well as a board member for many charitable and non-profit organizations. ♦ Commissioner Patronis received his Bachelor of Science degree in Political Science from Florida State University. He is a member of the Florida Chamber of Commerce and Bay County Chamber of Commerce Leadership Programs and has been involved in many other state and community organizations. For his outstanding service, he has also received numerous awards and recognitions. ♦ A lifelong resident of Bay County, Commissioner Patronis is a partner in Captain Anderson's Restaurant and Market, where he works with his father, uncle, and brothers in the well-known family business. He and his wife are dedicated to civic and business development for Northwest Florida and are the proud parents of two sons.



EXECUTIVE  
DIRECTOR

**BRAULIO L.  
BAEZ**

The 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, the Deputy Executive Director-Technical, and the Director of the Office of Industry Development & Market Analysis.



DEPUTY  
EXECUTIVE  
DIRECTOR-  
ADMINISTRATIVE

**APRYL C.  
LYNN**

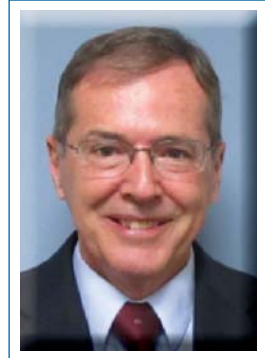
The Deputy Executive Director-Administrative supervises and directs the Commission's administrative staff and counsels the Executive Director on Commission personnel, media relations, consumer assistance, and auditing matters. The Division of Administrative & Information Technology Services, and the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



DEPUTY  
EXECUTIVE  
DIRECTOR-  
TECHNICAL

**LISA S.  
HARVEY**

The Deputy Executive Director-Technical provides direction and leadership for the technical staff and advises the Executive Director in all technical issues pending or presently before the Commission. She has direct authority over the Divisions of Accounting & Finance, Engineering, Economics, and the Office of Telecommunications.



GENERAL  
COUNSEL

**CHARLIE  
BECK**

The General Counsel is the Commission's chief legal counsel. He supervises the Commission's legal personnel and is charged with the administration and delegation of responsibilities to the lead attorneys in his office. 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.



# THE ROLE OF FLORIDA'S PUBLIC SERVICE COMMISSION

## MISSION STATEMENT:

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

*The Commission's 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 Florida Public Service Commission's (FPSC) 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 major 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's best interest. Residential and commercial consumers now want more interactive choices from their utility companies and need more information to make smart energy decisions.

Regulation of carbon emissions is a key policy issue confronting utilities nationwide. Recent developments in carbon litigation and regulation also suggest that the national policy landscape, related to carbon emissions, is continuing to evolve. 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 entails facilitating the development of competitive markets and managing issues associated with them.
- ◆ Safety, reliability, and service monitoring contributes to an uninterrupted supply of utility services to the general public and confirms that such services are provided in a reasonable and timely manner with minimal risks.

In each of these areas, 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.



## RATE BASE / ECONOMIC REGULATION

Earnings levels for regulated electric, natural gas, and water and wastewater companies are established and regularly monitored by the FPSC. Companies file annual reports which are reviewed to determine their earnings for the prior year. If it appears that a company will experience excessive earnings in the coming year, the FPSC fully analyzes the company's books and records and reduces 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, the company 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 quickly adjusted if a company appears to be overearning.

Annually, the FPSC thoroughly reviews each regulated utility's fuel, capacity, conservation, and environmental 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, and fossil fuel dismantlement studies.

### WATER & WASTEWATER

In the water and wastewater industries, the FPSC processes a significant number of cases each

year. The majority of these cases involve requests for rate increases or limited proceeding increases resulting from the increased cost of providing service. Other cases 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. Other cases can involve certifying a new utility and setting its initial rates and charges. The Commission also acknowledges abandonments and cancels certificates for systems transferred to exempt entities.



Reuse (using effluent water for a beneficial purpose, such as irrigation) impacts rate base/economic regulation. The Legislature has recognized the benefit of reuse to Florida and has enacted provisions 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 to establish policies that are consistent with statewide goals. In meeting this charge, Commission staff participates on a Reuse Coordinating Committee along with staff from DEP, the WMDs, and the Florida Departments of Agriculture and Consumer Services, Health, and Transportation.

Water conservation is vital to Florida's economy. As an economic regulator, the FPSC is actively involved in demand-side water conservation through rates and rate structure review. 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, updated in 2013, and another MOU with four of the five WMDs, effective last year, to coordinate efforts to improve statewide water quality and meet statewide conservation goals. Both agencies provide expert testimony, as necessary, on water quality and conservation issues in rate cases before the FPSC. When feasible, the FPSC allows utilities to recover expenses related to conservation programs and establishes conservation rates to reduce water consumption.

### 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. The FPSC must ensure that regulatory barriers are removed and that telecommunications companies are not anticompetitive.

A key FPSC focus is facilitating competition in the local telephone market, which includes arbitrating agreements between incumbent local exchange companies (ILECs) and competitive local exchange companies (CLECs) 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.

Another critical aspect of competitive market oversight in the telecommunications industry is the certification process. Most landline telecom-

munications 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 major responsibilities involve oversight of numbering resources, the Lifeline Assistance program which helps low-income residents have access to telephone service, and the Relay Program which facilitates telephone use for the deaf, hard of hearing, or speech impaired.



### RELIABILITY, SAFETY, & SERVICE ISSUES

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

### ENERGY

#### Electric Reliability

In the electric industry, the FPSC reviews regulated 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 power needs.

The FPSC also participates in formal and informal proceedings relating to long-range electric utility bulk power supply operations and planning; elec-

tric and natural gas safety, and service quality, including complaints; electric utility conservation goals and programs; and emergencies due to operational events or weather.

### **Electric Distribution Reliability and Infrastructure Hardening**

The FPSC also monitors investor-owned utilities' (IOUs) performance 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 its 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 reports also describe the status of each IOU's storm hardening efforts related to ten ongoing initiatives established by the FPSC, including vegetation management, hardening of existing structures, joint-use agreements, auditing pole attachments, and natural disaster preparedness. 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 electric safety. 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 that are selected from utility work orders. Any variances from the NESC are corrected through a quality control program.

### **Natural Gas Pipeline Safety**

Safety compliance evaluations are conducted annually on all natural gas systems. These evaluations focus on corrosion control, leak surveys, leak repairs, emergency response, drug testing, employee training and qualification, maintenance, operation, and new construction.

The Commission's pipeline safety staff evaluates natural gas systems covering thousands of miles of pipeline and customer service lines. These evaluations generally result in written notifications of gas safety violations such as failure to repair gas leaks, failure to odorize natural gas, or failure to use qualified welders. 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 in other parts of the U.S. involving aging infrastructure. 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 Peoples Gas System, the Florida Division of Chesapeake Utilities, and Florida Public Utilities Company. These three utilities began with a total of 157 miles of cast iron and 760 miles of unprotected steel pipe needing replacement. As of 2015, approximately 70 miles of cast iron and 400 miles of bare steel remain to be replaced. In December 2015, the Commission approved a replacement program for Florida Public Utilities Company—Fort Meade to replace approximately 250 steel service customer connections.

### **Emergency Operations Center**

The Commission is designated as 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 a variety of 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. This information is used by the EOC to determine the most efficient allocation of resources in response to regional recovery efforts.

— WATER & WASTEWATER —

In the water and wastewater industries, the FPSC monitors quality-of-service issues such as water pressure and capacity. When a consumer complaint regarding water and/or wastewater quality of service is received, if justified, a staff engineer is assigned to work with the consumer and utility personnel to determine the cause of the concern.

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. When a complaint results from possible violations of DEP public health rules, FPSC staff works with the DEP to resolve the issue.

Last year, the Florida Legislature enacted Senate Bill 272 creating two new Florida Statute Sections—367.072 and 367.0812—to revoke a certificate of authorization and to use quality of water service as a criterion in evaluating a utility’s FPSC rate increase request. To implement the new Statute Sections, the Commission filed proposed Rule 25-30.091, Florida Administrative Code (F.A.C.) and amended Rule 25-30.440, F.A.C., with the Department of State; they became effective in February 2015.

Rule 25-30.091, F.A.C., allows the FPSC to consider revoking a water utility’s certificate of authorization if at least 65 percent of the utility’s customers file a petition for revocation, including specific issues of concern, each reported incident, and how long each issue has existed. The rule amendments require the utility to include its customer complaints for secondary water quality standards, established by DEP, over the past five years when it files a FPSC rate case.

**CONSUMER ASSISTANCE,  
PROTECTION & EDUCATION**

By providing effective consumer assistance, protection, and education, the FPSC accomplishes its mission of assisting consumers and educating the public about the changing regulatory environment.



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. Making sure consumers have easy access to agency information ensures that they can make informed decisions about utility services.

With Florida’s unpredictable weather and fluctuating fuel costs, consumers have concerns about storm damage and energy expenses, which impact the natural gas and electric industries. The FPSC website and publications explain the rules that keep utilities prepared for storms and fuel costs reasonable and highlight the Commission’s

statutory obligation to protect consumers by ensuring public safety.

Another aspect of consumer assistance relates to customer issues such as billing. 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 staff member, 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. Consumers benefit when they can have all of their needs met with a single toll-free call. 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.

### Resolving Consumer Complaints

Assisting consumers is a FPSC priority. Consumers can find a variety of fact sheets, brochures, and consumer tips on the Commission’s website. Residential and business customers needing

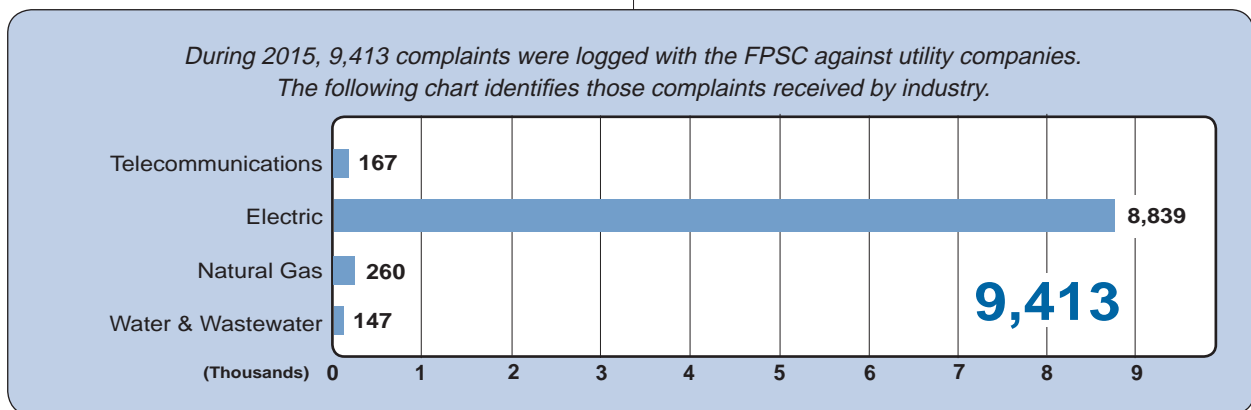
additional assistance to resolve complaints with Florida’s regulated utilities can receive help from the FPSC’s experienced analysts, who can also provide information on utility payment plans, statutes and rules governing utility companies, and the status of pending cases before the Commission.

There are five ways to contact the FPSC:

- ◆ Complete an online complaint form
- ◆ E-mail correspondence to [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)
- ◆ Call the toll-free number at 1-800-342-3552
- ◆ Fax information toll-free at 1-800-511-0809
- ◆ Send mail to:  
 Florida Public Service Commission  
 Office of Consumer Assistance & Outreach  
 2540 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-0850

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

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 express comments and ideas to the Commissioners before final decisions occur.



*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. Effective July 1, 2012, FPSC jurisdiction over telecommunications companies changed. Telecommunications complaints include, Lifeline Assistance program, Florida Relay, and payphone service.*

The FPSC closely monitors informal consumer inquiries and complaints to identify trends affecting consumers and then produces related outreach materials to address those needs. The FPSC provides consumers with 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, toll-free phone and fax numbers, consumer publications, brochures, scheduled FPSC meetings open to the public, and community events. The FPSC's home page, [www.FloridaPSC.com](http://www.FloridaPSC.com), is continuously updated to keep information current and make the site user-friendly. The website contains information about the regulated industries, press releases, and agency publications. In addition to obtaining information, 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 year the FPSC provides educational packets, including FPSC publications and Lifeline brochures and applications in English, Spanish, and Creole, to Florida public libraries across the state for consumer distribution. The FPSC's Library Outreach Campaign reached 583 state public libraries and branches in 2015. This year, the FPSC sent the materials via a CD that included a print-ready copy of FPSC brochures for easy reproduction.

Following the Campaign, many libraries' requests for additional publications were filled. Their continuing support helps the FPSC reach consumers throughout the state.

National Consumer Protection Week (NCPW), highlighting consumer protection and education efforts, was important to the FPSC's 2015 conservation education efforts. For the 17th Annual NCPW (March 1-7, 2015), FPSC Chairman Art Graham teamed up with the Jacksonville Jaguars to remind consumers to "Suit Up and Stay Protected!" to tackle fraud. The FPSC made presentations in North Lauderdale, Hallandale Beach, Miramar, LaBelle, Punta Gorda, and Arcadia on protection against scams aimed at utility customers, energy and water conservation, and the Lifeline program.



Events to promote energy efficiency and conservation education are annually observed during October's Energy Awareness Month. Highlighting the 2015 Energy Awareness Month, FPSC Commissioner Jimmy Patronis joined Senator Denise Grimsley and Representative Halsey Beshears to recognize VizCo-US's innovative solar array powering a 40,000 sq. ft. manufacturing facility—the only plant in Florida fully powered through net metering. The FPSC's net metering rule allows solar power generators, such as VizCo, to tie into the power grid and gain credit for the power they contribute. This project's success stems from Florida using net metering to jump start solar generation in the state.

Commissioner Patronis reminded consumers how our energy habits can make a difference to reduce our energy usage and our utility bills. He also recognized the contributions of VizCo—a business producing plastic injection-molded drip pans, alarms, and pipe grips for water heaters—for advancing energy innovation and efficiency, as the FPSC highlighted the importance of renewable energy in our nation.

Again this year, the FPSC recognized small businesses for implementing Commission-approved, cost-effective conservation programs. Covering the state's five major geographic areas, each month the FPSC gave its *Triple E Award—for Energy Efficiency*—to a local business that accomplished superior energy efficiency by working with its local utility to help reduce its energy footprint. FPSC *Triple E Award* recipients

are highlighted through a press release, issued statewide, and are featured under Hot Topics on the FPSC's homepage, [www.FloridaPSC.com](http://www.FloridaPSC.com).

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 large network of social service organizations located throughout 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.

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 Bulletin*. The *Bulletin* provides a background for cases where customer input is considered and helps answer constituent inquiries.

Throughout the year, FPSC Commissioners and/or staff attend customer hearings and meetings around the state. Public meetings provide an inclusive process that allows Florida consumers to participate and share their views with Commissioners. For each hearing or meeting, customers receive a *Special Report* that explains the case being reviewed and encourages their participation. In 2015, FPSC staff organized and attended 15 customer hearings and meetings, where they addressed citizen questions and concerns and distributed relevant brochures.

The Commission features many brochures online and in print to help consumers save energy, conserve water, or learn about the Lifeline Assistance program and other relevant topics. Brochures may be viewed and printed directly from the website, <http://www.FloridaPSC.com/publications/>, ordered free via an online order system, or requested by mail or phone. With its interactive design, the FPSC's quarterly *Consumer Connection E-Newsletter* is also helpful, featuring current energy and water conservation topics, consumer tips, and general Commission information.



The FPSC continuously seeks existing and new community events, venues, and opportunities where conservation and other materials can be distributed and discussed with citizens. This year, the FPSC participated in consumer programs and distributed energy and water conservation materials through partnerships with governmental entities, consumer groups, and many other service organizations.

Examples of events where conservation and other information was shared during 2015 include:

- ◆ Senior Day at the Capitol
- ◆ Active Living Expo
- ◆ Earth Day at Cascades Park
- ◆ Wiegel Senior Center
- ◆ Players Community Center
- ◆ Cherry Tree Apartments
- ◆ Barry Manor Apartments
- ◆ St. Johns River Apartments
- ◆ The Villas at Hampton Park
- ◆ The Villas at Carver Park
- ◆ Joseph Meyerhoff Senior Center
- ◆ Austin Hepburn Senior Center
- ◆ L.J. Nobles Senior Center
- ◆ Rebecca Neal Owens Center
- ◆ Miramar Senior Center
- ◆ Friendship Centers of DeSoto County
- ◆ Southside Senior Day at Jake Gaither Community Center
- ◆ Green Cove Springs Center
- ◆ Weigel Senior Center
- ◆ Players Community Center
- ◆ The Reverend Dr. Martin Luther King, Jr., Empowering Senior Day
- ◆ 6th Annual Southside Community Health & Fitness Fair at Maranatha Seventh Day Adventist Church
- ◆ Edgar Johnson Senior Center
- ◆ Sunshine Villas Apartments
- ◆ Renaissance Preserve Apartments
- ◆ Dr. Piper Memorial Center

- ◆ Lake Kennedy Senior Center
- ◆ Bonair Towers Apartments
- ◆ Sandpiper Run Apartments
- ◆ Hatton B. Rogers Apartments
- ◆ Goodwill Industries – Daytona Beach Job Connection Center
- ◆ Goodwill Industries – Orlando Job Connection Center
- ◆ Goodwill Industries – West Orlando Job Connection Center
- ◆ Goodwill Industries – several locations in Naples
- ◆ Goodwill Industries – several locations in Ft. Myers
- ◆ Goodwill Industries – Lehigh
- ◆ Goodwill Industries – Port Charlotte
- ◆ Jacksonville Senior Expo
- ◆ Suwanee County Health and Wellness Fair at Advent Christian Village
- ◆ Woodpoint Apartments
- ◆ Hollyridge Apartments
- ◆ Trout Creek Senior Center
- ◆ Community Day of Empowerment – Live Oak
- ◆ Newberry Senior Center
- ◆ High Springs Civic Center
- ◆ Micanopy Senior Center
- ◆ Thelma Boltin Center





# HIGHLIGHTS OF THE FPSC'S REGULATORY ACTIONS FOR CALENDAR YEAR 2015

In 2015, the FPSC regulated 5 investor-owned electric companies, 8 investor-owned natural gas utilities, and 146 investor-owned water and/or wastewater utilities and had competitive market oversight for 343 telecommunications companies in Florida.

The number of certificated telecommunications companies as of December 2015 was as follows:

- ◆ 10 incumbent local exchange companies (ILECs)
- ◆ 241 competitive local exchange companies (CLECs)
- ◆ 57 pay telephone companies (PATs)
- ◆ 21 alternative access vendors (AAVs)
- ◆ 14 shared tenant service providers (STS)

*Chapter 364, Florida Statutes, was changed in 2011 to no longer allow new AAV or STS certificates to be issued.*

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.

During 2015, the Commission handled a number of significant regulatory issues that are summarized in the following sections.

## ENERGY

### Electric Rate Cases

#### *Florida Power & Light Company*

On February 7, 2013, the Office of Public Counsel (OPC) appealed the Commission's December 2012 approval of a Florida Power & Light Company (FPL) Settlement Agreement to the Florida Supreme Court. On August 28, 2014, the Supreme Court issued its ruling affirming the Commission's final order that approved the Settlement Agreement authorizing FPL to adjust its rates. Under the terms of the Settlement Agreement, FPL cannot petition the Commission for an increase in base rates to be effective prior to its last billing cycle in 2016, unless its Return on Equity (ROE) falls below 9.50 percent.

On June 25, 2014, FPL petitioned the Commission for a determination that it is prudent to acquire an interest in a natural gas reserve project (the Woodford Project) and that the revenue requirement associated with investing in and operating the project is eligible for recovery through the fuel cost recovery clause. FPL further requested that the Commission establish guidelines for future participation in gas reserve projects without prior Commission approval and recover the costs, subject to Commission review in fuel clause proceedings.

By Order No. PSC-15-0038-FOF-EI issued January 12, 2015, the Commission found the Woodford Project in the public interest and the costs recoverable. By Order No. PSC-15-0284-FOF-EI issued July 14, 2015, the Commission approved modified Gas Reserve Guidelines. OPC filed Notices of Appeal in the Florida Supreme Court of all Commission orders related to the Woodford Project and the Gas Reserve Guidelines. The Florida Industrial Power Users Group (FIPUG) also filed appeals in the Florida Supreme Court of the same Commission orders. The Florida Supreme Court heard oral arguments regarding the Woodford decision on December 8, 2015. A decision is pending. The oral argument and decision regarding the appeal

of the Gas Reserve Guidelines decision has yet to be scheduled.

#### *Duke Energy Florida*

In accordance with the Commission-approved 2013 Revised Stipulation and Settlement Agreement, Duke Energy Florida, LLC (DEF) refunded \$40 million in 2015 to its retail customers through the fuel cost recovery clause. DEF will also refund \$60 million in 2016 to its customers. DEF cannot petition the Commission for an increase in base rates to be effective prior to its last billing cycle in 2017, unless its ROE falls below 9.50 percent. DEF may petition the Commission for a base rate increase to be implemented concurrent with the in-service date of new combustion turbine units and associated transmission, power uprates to existing units, or newly acquired or purchased combustion or combined cycle units and associated transmission.

On November 17, 2015, the Commission approved DEF's petition for a financing order, allowing DEF to issue a special type of bond—known as a “securitization”—to recover the costs associated with the closing of the Crystal River 3 nuclear power plant. The bonds are expected to garner a top credit rating and save customers hundreds of millions of dollars.

#### *Gulf Power Company*

A Joint Motion for Approval of Stipulation and Settlement Agreement (Agreement) filed by Gulf Power Company (Gulf), OPC, FIPUG, Federal Executive Agencies, Wal-Mart Stores East, LP, and Sam's East Inc. was approved by the Commission on December 3, 2013. Based on the Agreement, a \$20 million base rate increase was implemented in January 2015. Gulf cannot petition the Commission for rate relief before its last billing cycle in June 2017, unless its ROE falls below 9.25 percent.

#### *Tampa Electric Company*

On April 5, 2013, Tampa Electric Company (TECO) filed a petition for a \$134.8 million base rate increase effective January 1, 2014. On September 9, 2013, a Joint Motion of TECO, OPC, FIPUG, Florida Retail Federation, Federal Executive Agencies, and WCR Hospital Utility Alliance was filed seeking approval of a Stipulation and Settlement Agreement. The Parties agreed that TECO's base

rate would increase \$57.5 million annually, effective November 2013, increase \$7.5 million annually in November 2014, and increase \$5.0 million annually in November 2015. The Parties further agreed to a generation base rate adjustment of \$110 million in January 2017, or the in-service date of TECO's Polk Units 2-5 conversions, whichever is later. The Agreement terms continue through 2017.

#### *Florida Public Utilities Company*

On April 28, 2014, Florida Public Utilities Company (FPUC) filed a petition seeking an annual base rate increase of \$5.85 million, effective October 1, 2014. FPUC's request was based on an 11.25 percent ROE. On August 29, 2014, a Joint Motion for Approval of Stipulation and Settlement (Agreement) was filed by FPUC and OPC. After reviewing the Agreement and pleadings, and hearing argument of counsel, the Commission found the Agreement to be in the best interest of FPUC's ratepayers and approved it on September 15, 2014. Under the Agreement terms, FPUC cannot petition the Commission for an increase in base rates to be effective before January 1, 2017, unless its ROE falls below 9.25 percent.

### **Natural Gas Rate Cases**

The Commission did not process any rate cases involving natural gas distribution companies during 2014, and no rate cases involving natural gas distribution companies were filed in 2015.



### **Depreciation, Dismantlement, & Nuclear Decommissioning Studies**

Depreciation rates for regulated utilities are set by the Commission to ensure that cost recovery is provided for categories of assets while they are

in service. 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 are required to be filed with the Commission every four years. 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 are required to be filed with the Commission every five years. 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.

### **Depreciation**

Florida Public Utilities Company/Electric Division (FPUC) filed its Depreciation Study on July 1, 2015. On December 3, 2015, the Commission approved new depreciation rates for plant accounts effective January 1, 2015, matching the date of the supporting data and calculations. FPUC's new depreciation rates decrease depreciation expense by approximately \$229,000, or about 5.8 percent, based on plant investment at the end of the four year study period.

### **Dismantlement**

No Dismantlement Studies were filed or ruled on in 2015.

### **Decommissioning**

FPL filed its 2015 Decommissioning Study on December 14, 2015, including studies of both the St. Lucie and Turkey Point nuclear plant sites. FPL has selected the DECON decommissioning option for its units at both plant sites, whereby the units will be dismantled soon after shutdown. FPL's study requests no change in the current annual accrual of \$0 to satisfy its retail share of the total future nuclear decommissioning cost. FPL updated

its estimates for the last core of nuclear fuel and the end of life materials and supplies inventories as part of the study. The results of these updated estimates will be addressed in FPL's next general base rate proceeding. The Commission will vote on FPL's 2015 Decommissioning Study in 2016.



### **Power Plant, Transmission Line, and Natural Gas Pipeline Need Determinations**

On September 3, 2015, FPL filed a petition to determine the need for construction of a natural gas-fired combined cycle power plant in Okeechobee County. The proposed power plant, the Okeechobee Clean Energy Center Unit 1, is projected to begin service in June 2019 with an expected summer capacity rating of 1,622 MW. The project is expected to cost approximately \$1.2 billion. An evidentiary hearing was held on December 1-2, and the Commission is scheduled to decide on the need for the plant in January 2016.

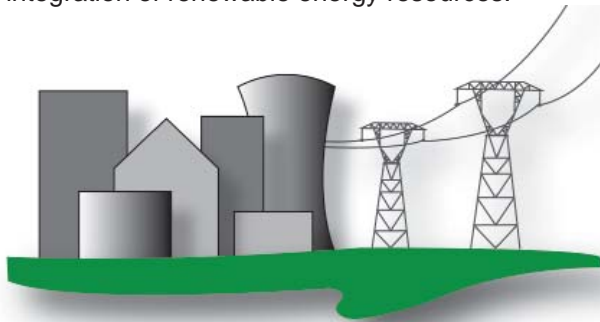
### **Fuel Diversity**

Florida's electric utilities are required by law to furnish adequate, reliable electric service at a reasonable cost to customers. Meeting customer demand in uncertain economic conditions represents a significant challenge. Since the late 1990's, utilities across the nation, including those in Florida, have selected natural gas-fired generation as the predominant source of new capacity. The use of natural gas for electricity production in Florida increased from 19.3 percent in 1995 to 60.7 percent in 2015. Natural gas usage is expected to remain at approximately 60 percent over the next ten years.

Given the potential volatility of natural gas prices, the Florida Legislature, since 2005, established policies addressing the importance of diversifying fuels used for electricity generation. These initia-

tives include enhancing contract provisions for the purchase of renewable energy by investor-owned utilities, encouraging customer-owned renewable energy resources, placing emphasis on energy efficiency and conservation, and establishing regulatory treatment for costs associated with nuclear construction.

Fuel diversity will continue to be a critical issue for the FPSC as it monitors pending federal emissions legislation, fuel price variability, the changing capital cost of generating units, and the expansion and integration of renewable energy resources.



### Nuclear Cost Recovery

In 2006, the Florida Legislature enacted Section 366.93, Florida Statutes (F.S.), to encourage utility investment in nuclear electric generation by creating an alternative cost recovery mechanism. The statute directed the Commission to allow IOUs to recover certain construction costs in a manner that reduces the overall financial risk associated with building a nuclear power plant. In 2007, the statute was amended to include integrated coal-gasification combined cycle plants, and in 2008, it was again amended to include new, expanded, or relocated transmission lines associated with the plants. The statute required the Commission to adopt rules that provide for annual reviews and cost recovery for nuclear plant construction through the existing capacity cost recovery clause (CCRC). By Order No. PSC-07-0240-FOF-EI, the Commission adopted Rule 25-6.0423, F.A.C., fulfilling the requirements of, and implementing, Section 366.93, F.S.

Pursuant to the rule, all prudently incurred pre-construction costs and carrying charges will be recovered directly through the CCRC. Once a utility obtains an affirmative need determination for a power plant covered by the statute, the affected utility may petition for cost recovery using this al-

ternative mechanism. The Commission approved the uprate for FPL's existing four nuclear units, St. Lucie 1 & 2 and Turkey Point 3 & 4, as well as for two new nuclear units, Turkey Point 6 & 7. DEF obtained approval for the uprate of the Crystal River 3 nuclear unit, as well as two new nuclear units proposed to be built in Levy County. The annual nuclear cost recovery clause (NCRC) proceeding was established to address utility petitions for cost recovery, pursuant to the statute and rule, to review utility activities, and to consider whether to approve costs associated with those activities for recovery from customers.

In 2013, the Florida Legislature enacted amendments to Section 366.93, F.S., which included: (1) affected utilities must seek FPSC approval prior to commencing certain project activities; (2) the rate used to calculate carrying costs was revised; and (3) deadlines were established for construction work to begin. The Commission subsequently adopted revisions to Rule 25-6.0423, F.A.C., to incorporate these amendments to the statute, effective in January 2014.

In February 2013, DEF announced it would retire and decommission Crystal River 3. In August 2013, DEF announced it would not construct the Levy project in the current timeframe, and that it would cancel the Levy project Engineering, Procurement, and Construction contract. DEF filed a Petition for Limited Proceeding to Approve a Revised and Restated Stipulation and Settlement Agreement (2013 Settlement Agreement) that was signed by the OPC and other parties representing consumers. The Commission approved the 2013 Settlement Agreement, which addressed issues from multiple dockets. Terms that affected the NCRC included:

- ◆ DEF's recovery amount for the Levy Project will reflect the use of a prescribed fixed factor set by rate class until recovery of remaining unrecovered investment is complete.
- ◆ DEF is allowed to recover its Crystal River 3 Uprate Project costs through the NCRC consistent with Section 366.93(6), F.S.

FPL completed the uprate of its existing nuclear units in 2013, adding 522 megawatts of new nu-

clear capacity. FPL also received site certification in May 2014 for new nuclear units Turkey Point 6 & 7 from the Governor and Cabinet, sitting as the Power Plant Siting Board. FPL is currently pursuing a combined operating license for these units from the Nuclear Regulatory Commission.

In May 2015, the Commission approved a DEF petition to end recovery of Levy project costs using the fixed factors set in 2013. Any remaining uncollected project costs will be subject to a final true-up proceeding in the future. At an evidentiary hearing on August 18, 2015, the Commission approved a stipulation between DEF and consumer representatives that suspended recovery of Levy project costs during 2016 and 2017, and allowed the recovery of \$56 million in 2016 related to the Crystal River 3 Uprate Project. The Commission also heard testimony regarding FPL's Turkey Point 6 & 7 project. At an October 19, 2015 Special Commission Conference, the Commission approved FPL's request of approximately \$34 million for recovery in 2016.

### **Fuel Cost Recovery**

In November, the FPSC held its annual cost recovery clause hearing to address the true-up of 2015 fuel costs and to establish 2016 fuel rates for the five IOUs. FPL and FPUC experienced fuel cost under-recoveries for 2015, as a result of higher than forecasted fuel prices. DEF, Gulf, and TECO experienced fuel cost over-recoveries for this period.

For 2015, FPL's fuel costs were reduced by approximately \$54.6 million associated with its Commission-approved asset optimization program. Under the plan, customers receive all gains from the program up to the sharing threshold of \$46 million and 40 percent of the gains over \$46 million and up to \$100 million. FPL's total 2015 gains under this program were \$67.6 million, and customers received the entire \$46 million benefit through reduced fuel costs, plus an additional \$8.6 million benefit for the gains exceeding the threshold.

Even though FPL under-recovered its 2015 fuel costs, its 2016 fuel factors will be lower, based on lower fuel costs overall, and its new gas-fired generating plant, the Port Everglades Energy Center, is expected to be in-service on June 1, 2016.

Therefore, at the November hearing, the Commission approved two sets of fuel factors: one set for January through May 2016 and another, lower set, adding the new plant to FPL's generating fleet, for June through December 2016.

For 2016, DEF, Gulf and TECO's fuel factors will be slightly lower as a result of over recovering 2015 fuel costs and lower projected fuel costs for 2016.

Even though FPUC under-recovered its 2015 fuel costs, its 2016 fuel factors, overall, will be slightly lower, based on lower fuel costs.

### **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 and are based on each generating technology type in a utility's Ten-Year Site Plan. In 2015, the Commission approved standard contracts for each IOU for the purchase of renewable energy.

Currently, renewable energy facilities provide approximately 1,640 MW of firm and non-firm generation capacity, which represented 2.8 percent of Florida's overall generation capacity of 58,148 MW in 2014. Approximately 579 MW are considered firm, based on either operational characteristics or contractual agreement. 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 generates 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. Self-service generation reduces demand on Florida's utilities.

#### *Customer-Owned Renewables*

In 2008, the Florida Legislature enacted legislation emphasizing customer-owned renewable energy resources. In April 2008, the Commission amended Rule 25-6.065, F.A.C., on interconnection and

net metering to facilitate customer-owned renewable generation. The rule requires the IOUs to offer a standard interconnection agreement with an expedited interconnection process and net metering for all types of renewable generation up to 2 MW in capacity. 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.



*FPSC Commissioner Jimmy Patronis joins Florida Representative Halsey Beshears and VizCo's CEO Chris Cantolino at a tour of the VizCo-US solar array in Monticello.*

Reports submitted in April 2015 by the IOUs and municipal and rural electric utilities show that the number of customers owning renewable generation systems in Florida is growing. In 2008, when the rule became effective, customer owned renewable generation accounted for 3 MW of renewable capacity. As of 2014, approximately 80 MW of renewable capacity from nearly 8,600 systems have been installed statewide. Most small customer-owned renewable systems are primarily solar photovoltaic (PV) installations. The FPSC will continue to enforce existing renewable policies and explore additional policies to benefit Florida's consumers.

### **Conservation Activities for Electric 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 petro-

leum 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 2014, taking into account the provisions of the revised FEECA statutes, changes in market conditions, improved energy efficiency standards for customer appliances, and updated building codes for residential and commercial construction.

To implement the goals, each FEECA utility filed Demand-Side Management plans in 2015, outlining a set of programs for residential and commercial/ industrial customers designed to meet the FEECA goals. The Commission approved the plans for all seven FEECA Utilities on July 21, 2015.

Investor-owned utilities are allowed to recover prudent and reasonable expenses for conservation programs approved by the Commission through the Energy Conservation Cost Recovery clause. Each year, the Commission audits these expenses and holds a full evidentiary hearing to determine the conservation cost recovery factor for customers' bills. In November 2015, the Commission set conservation cost recovery factors that range from \$0.82 to \$3.90 a month for a residential customer using 1,200 kilowatt-hours.



### **Territorial Agreements & Disputes for Electric & Gas Utilities**

Section 366.04, F.S., gives the Commission authority to approve territorial agreements and resolve disputes between utilities with respect to service territories. In 2015, the Commission approved territorial agreements between Duke Energy Flori-

da and the City of Leesburg, Duke Energy Florida and Suwannee Valley Electric Cooperative, and Peoples Gas System and Sebring Gas System.

## TELECOMMUNICATIONS

### ILEC Wholesale Performance Measures

The Commission is responsible for ensuring that incumbent local exchange carriers (ILECs) are meeting their obligation to provide unbundled access, interconnection, and resale to competitive local exchange companies (CLECs) in a nondiscriminatory manner. To ensure that ILECs are meeting their obligations, the Commission adopted wholesale performance measurement plans for the three largest ILECs operating in Florida: AT&T, CenturyLink, and Verizon. The plans establish a minimum level of acceptable wholesale service quality that the three ILECs must provide to the CLECs. Wholesale service quality is measured in such areas as ordering, provisioning, and repair timeliness.

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. Additionally, each ILEC's performance measurement plan is reviewed by staff at recurring intervals to address necessary revisions.

### Intercarrier Relations and Rulemakings

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. Often during this process, the FPSC will facilitate an agreement among the parties, and their complaint will be withdrawn.

In 2015, the FPSC decided a request for arbitration filed by Communications Authority under Section 252 of the federal Telecom Act and the FPSC analyzed disputes between CLECs and ILECs involving number portability, trunking, billing, and outages.

### Lifeline Assistance for Low-Income Consumers

The Tele-Competition Innovation and Infrastructure Enhancement Act of 2003 requires that a statewide cooperative effort support the Lifeline Assistance (Lifeline) program in Florida, which is part of the federal Universal Service Program designed for low-income households to obtain at least a \$9.25 discount on their monthly phone bills or receive a free Lifeline cell phone and monthly minutes.

Eighty-eight local, state, and federal agencies, organizations and businesses, and 22 telecommunications companies were involved in the collaborative effort to increase awareness and participation in the Lifeline program in 2015. Promotional activities in 2015 featured National Lifeline Awareness Week, National Consumer Protection Week, Older Americans Month, and ongoing "grass roots" efforts to increase awareness and enrollment in the Lifeline program. Each month, the FPSC sends a cover letter and informational packet to two organizations to introduce and encourage Lifeline outreach to their eligible clientele. In addition, the FPSC attends or coordinates at least two community events each month to promote Lifeline.



FPSC Commissioner Ronald A. Brisé is joined at the Lifeline Awareness Week kickoff by Leon County Commission Chair Mary Ann Lindley and Goodwill CEO and President Fred G. Shelfer, Jr.

"Spread a Little Goodwill!" was the slogan for Florida's 2015 Lifeline Awareness Week, September 14-20. In addition to increasing awareness among eligible citizens, this year's LAW continued educating residents on FCC rule changes. FPSC Commissioner Ronald Brisé kicked off the week by hosting an event at Goodwill Industries' Prosperity

Center in Tallahassee. Event participants included Mary Ann Lindley, Chairman, Leon County Board of County Commissioners; Scott Maddox, Commissioner, City of Tallahassee; and Fred G. Shelfer, Jr., President and CEO, Goodwill Industries–Big Bend. LAW events were also held at Goodwill facilities in Daytona, Orlando, Ft. Myers, Naples, Lehigh Acres, Port Charlotte, and Tallahassee to help Florida’s eligible residents connect with possible job prospects, emergency and community services, and family and friends. Each event offered individual assistance to consumers applying for the Lifeline program.

As of June 2015, 833,612 eligible households participated in the Florida Lifeline program. The six companies with the highest Lifeline enrollment in Florida were SafeLink Wireless, Assurance Wireless, i-wireless, AT&T, CenturyLink, and Verizon with 98.7 percent of the Florida Lifeline customers. The table (top, right) shows the number of Lifeline subscribers from June 2012 through June 2015.

The table below shows Universal Service Administrative Company’s (USAC) Florida Lifeline disbursements for the 12-month period ending June 2015, totaling \$99,752,966 and averaging \$8,312,747 per month. These dollars enabled Florida citizens qualifying for Lifeline benefits to receive discounted monthly bills with at least a \$9.25 credit or a free Lifeline wireless phone with free monthly minutes.

**Lifeline Participation Rate in Eligible Florida Households for 2012-2015**

Year	Lifeline Enrollment	Eligible Households	% Participation Rate
June 2012	1,035,858	1,864,183	55.6%
June 2014	918,245	1,952,890	47.0%
June 2014	957,792	1,930,106	49.6%
June 2015	833,612	2,011,166	41.4%

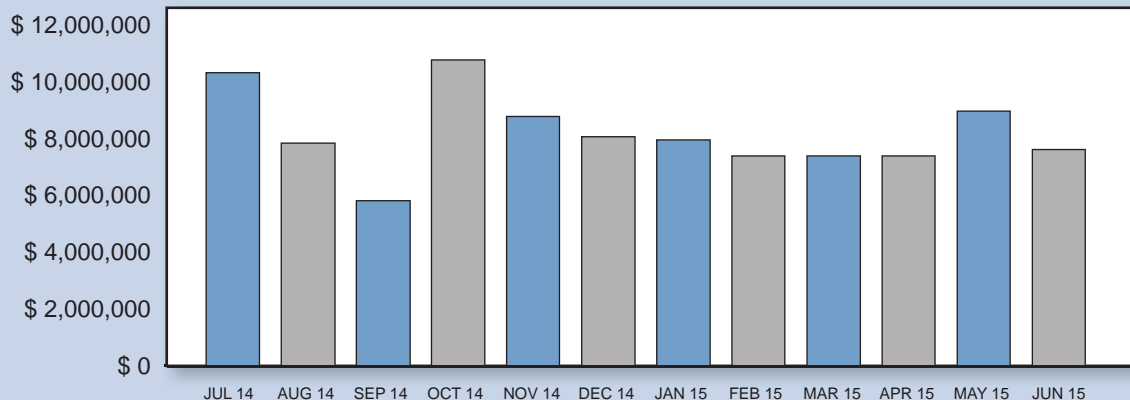
Source: U.S. Department of Agriculture date figures are as of June 2015

Additional information about the FPSC’s 2015 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 on the website at <http://www.floridapsc.com/Files/PDF/Publications/Reports/Telecommunication/LifelineReport/2015.pdf>.

To prevent a Lifeline subscriber from receiving duplicate Lifeline benefits, the USAC established a National Lifeline Accountability Database to determine if a prospective subscriber is already receiving Lifeline support from another eligible telecommunications carrier (ETC). By FCC mandate, USAC will subsequently establish an automated

**USAC LOW INCOME ETC DISBURSEMENTS TO FLORIDA PROVIDERS**

JULY 2014 - JUNE 2015



Source: USAC Disbursements Florida July 2014-June 2015

The above table fluctuations in the months of September 2014 and October 2014 were caused by Assurance Wireless’ filing dates for Lifeline credit reimbursement from the Universal Service Fund.



means to determine Lifeline eligibility through a national database.

**Actions Taken by the FPSC**

The FPSC conducted a meeting of the Lifeline Working Group—established under Section 364.10(2)(g)3, F.S.—including the FPSC, Department of Children and Families (DCF), OPC and Florida ETC’s offering Lifeline service. The topics included the DCF Web Services Interface which verifies participation in the eligibility program related to Lifeline. Also discussed were issues associated with the FCC National Lifeline Accountability Database, impacts on Lifeline associated with the transition to Internet Protocol, the status of FCC proceedings and impacts on Lifeline, methods of recertification implemented by the ETCs, and ideas to streamline the Lifeline process. The FPSC also filed comments in the FCC Lifeline rulemaking process, making suggestions that would streamline the Lifeline process and benefit Florida consumers.

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. By participating in the National ETC State Coordinating Group to monitor prospective and existing ETCs, Florida is a front runner in enforcing safeguards. This information sharing has enabled other states in the Group to monitor new ETC petitioners and existing ETCs to prevent waste, fraud, and abuse on a national basis that results in less upward pressure on the fund’s fees.

**Florida Relay Service**

Section 427.704, F.S., charges the Commission with overseeing the administration of a statewide telecommunications access system to provide access to Telecommunications Relay Services for the nearly three million Floridians who are deaf, hard-of-hearing, or speech impaired, and others who communicate with them.

In early 2015, as the bidder having the most points in response to a FPSC Request for Proposal,

Sprint Communications Company, LP became the new relay provider for the State of Florida. The Commission awarded Sprint a three-year contract to provide Telecommunications Relay Services.

Florida Telecommunications Relay, Inc., a non-profit corporation, administers the statewide Florida Relay Service (FRS). Available 24 hours a day, 365 days a year, FRS facilitates 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 surcharge of up to \$.25 per landline funds the distribution of specialized telecommunications devices and interstate relay service.

**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 in order to provide more efficient regulation. During 2015, the Commission monitored actions by the FERC on electric utility transmission planning compliance filings. Also, the Commission reviewed the EPA’s final rules on carbon emissions from existing and new electric generating units and on related EPA proposed regulations released in August 2015.



*FPSC Commissioner Lisa Edgar culminated her year as NARUC President with a “Consortium on Consumers, Convergence, and Change” at NARUC’s Annual Meeting.*

### 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, as well as periodically informing 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 do have substantial financial impacts on Florida carriers and telecommunications consumers. For example, Florida is the second largest net contributor state to the USF, and the FPSC has consistently taken positions before the FCC to reduce and/or limit growth of the fund's size.

In addition to federal Lifeline issues, in 2015 the FPSC monitored several FCC proceedings, including a trial in Delray Beach to convert all existing traditional wireline customers to Internet Protocol-based services. The trial is expected to last through 2016. Additionally, FPSC Commissioner Ronald A. Brisé served on the Federal/State Joint Board on Universal Service during its deliberations to update the contribution mechanism for the federal fund. A date for the Joint Board recommendation has not been set.

## WATER & WASTEWATER

### Water & Wastewater Rate Cases

Similar to prior years, the Commission processed a large number of water and wastewater rate cases in 2015. Of these cases, nine were processed as staff assisted rate cases pursuant to Chapter 367.0814, F.S. Of the nine, the Commission has completed five and has four cases in process. The Commission also processed an application for a limited proceeding for a small wastewater company.

In addition to the staff assisted rate cases, the Commission processed six file and suspend rate cases requested by larger water and wastewater

companies. Of these, the Commission has completed three rate cases and has three in process.

In 2015, staff continued to perform its normal surveillance of the earnings levels of water and wastewater companies regulated by the FPSC. No utilities were identified as potentially overearning. This review is still pending. Also during 2015, the Commission received 75 index applications and 21 pass-through applications for water and wastewater companies. Of these, the Commission processed 72 index applications and 18 pass-through applications.



### Water & Wastewater Certification Cases

In 2015, the Commission received one application for an original/grandfather certificate to provide water and wastewater service from Charlie Creek Utilities, LLC in Hardee County and received only one application for an amendment to expand service territory from Sanlando Utilities Corporation.

Transfers of water and wastewater certificates in 2015 included County-Wide Utility Company, Inc. to Southwest Ocala Utility, Inc.; East Marion Sanitary Systems, Inc. to East Marion Utilities, LLC; and Black Bear Reserve Water Corporation to Black Bear Waterworks, Inc. In addition, applications for transfer authority, as a matter of right, included Francis I Utility, LLC to the City of Sebring and Residential Water System, Inc. to Marion County Utility.

### Water & Wastewater Legislation Implementation

The 2014 Florida Legislature enacted Senate Bill 272, effective July 1, 2014, giving customers of Florida's investor-owned water utilities a way to hold the utility accountable if they are not happy

with their water service quality. The new law created two new Florida Statute Sections—367.072 and 367.0812—to revoke a certificate of authorization and to use water service quality as a criterion in evaluating a utility’s rate increase request. The law also includes water and service quality enforcement provisions recommended by the Study Committee on Investor-Owned Water and Wastewater Utilities, established by the 2012 Florida Legislature and chaired by FPSC Commissioner Julie Brown.

To implement the new Florida Statute sections, the FPSC proposed Rule 25-30.091, F.A.C., and amended Rule 25-30.440, F.A.C. The changes allow the FPSC to consider revoking a water utility’s certificate of authorization, if 65 percent of the utility’s customers file a petition for revocation. The rule amendments require the utility to include its water quality customer complaints over the past five years when it files a FPSC rate case. The proposed rules were filed with the Department of State in January 2015 and became effective February 10, 2015.



## AGENCY ORGANIZATION

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.*

**Office of  
General Counsel**



Charlie Beck  
General Counsel

**Office of  
Inspector General**



Steve Stolting  
Inspector General

**Division of  
Administrative  
& Information  
Technology Services**



Bobby Maddox  
Director

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.

The office is responsible for defending Commission orders on appeal, for defending Commission rules challenged before the Division of Administrative Hearings, and for 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; counsels the Commission on ethics, personnel, contractual, public records, and other administrative legal matters; and offers mediation services to parties in Commission proceedings.

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.

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 Chairman, and 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**

The **Division of Administrative & Information Technology Services** assists in preparing the Commission’s Legislative Budget Requests, monitors the operating and non-operating budgets, and assists in preparing budget amendments as necessary. The *Fiscal Services Section* primarily handles all financial transactions and accounting records maintenance. Human Resources administers the agency’s human resources program, including recruitment, selection, classification and pay, attendance and leave, performance evaluations, training and staff development, variable work week schedules, em-ployee relations, payroll, insurance, and other employee benefit programs.

Support Services and Facilities Management and Purchasing are under the *General Services Section*. Support Services supports imaging, duplicating, mail distribution, audiovisual, hearing and conference room operations, and fax systems. Facilities Management and Purchasing processes all agency purchasing, security and safety issues, leasing, surplus property, and fleet management.

**Office of  
Commission Clerk**



Carlotta S. Stauffer  
Director

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 administrative procedures manual and forms inventory/tracking programs.

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 the transcript 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 Reporters 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. It also maintains the calendar of Commission activity and issues various reports. The hearing reporter records and prepares discovery deposition transcripts, attends scheduled events, and is responsible for preparing and filing the official record transcripts and exhibits in the appropriate dockets.

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.

**Office of  
Auditing &  
Performance Analysis**



Dale Mailhot  
Director

**Office of  
Consumer Assistance  
& Outreach**



Cynthia Muir  
Director

The *Bureau of Auditing* is responsible for audits and reviews in all industries. The types of audits and reviews performed include financial, compliance, billing, and verification. The auditors conduct examinations of utility-related financial and operating records and provide an 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 ratepayers only pay for prudently incurred expenses. This bureau conducts financial audits from three district offices in Tallahassee, Miami, and Tampa.

The **Office of Consumer Assistance & Outreach** is the Commission's liaison with the public and the media. Providing effective 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 on 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 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 Operation & Organization*, *Inside the PSC*, and the quarterly *Consumer Connection E-Newsletter*.

**Division of  
Accounting & Finance**



Andrew Maurey  
Director

**TECHNICAL DIVISIONS & OFFICES**

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 mailings, extensions, filings, delinquency notices, penalty letters, and show cause recommendations.

### Division of Engineering



Tom Ballinger  
Director

### Division of Economics



Greg Shafer  
Director

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 includes analyzing filings, expert testimony, and exhibits; developing interrogatories and production of documents requests; preparing cross-examination questions; presenting staff testimony; holding customer meetings; and presenting recommendations to the Commission, including a recommended return on equity. 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 security applications for investor-owned natural gas and electric utilities, evaluating requests for corporate undertakings, analyzing income tax issues, and calculating the interest on refunds.

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, taking into consideration 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, construction standards, 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 and the Review of Florida's Investor-Owned Electric Utilities Service Reliability Reports*. The division is also responsible for staffing the Emergency Support Function 12 in the Emergency Operations Center to provide outage and restoral information regarding electric and natural gas service during a state of emergency.

The **Division of Economics** provides recommendations to the Commissioners on the design and application of retail rates and tariffs for all electric, 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 gas utilities.



**Office of  
Telecommunications**



Beth Salak  
Director

Reviewing the development and application of depreciation rates and practices for inclusion in base rate revenue requirements is another division function. On a rotating basis, the division is also responsible for processing requests for base rate changes requested by electric, natural gas, and water and wastewater utilities.

In addition to rate and tariff matters, the division provides econometric and statistical analyses, including forecasts and other statistical projections, for all investor-owned regulated industries. The division also prepares a Statement of Estimated Regulatory Cost (SERC), required by statute for all proposed and revised administrative rules. SERC's evaluate the costs and benefits of the proposed rule change, including analyses on the public and business sectors.

The division has primary responsibility for preparing the annual *Florida Energy Efficiency and Conservation Report* and that portion of the *Ten-Year Site Plan Review* that addresses the adequacy of electric utilities' load and energy forecasts.

The **Office of Telecommunications** handles issues that involve the wholesale oversight of the wireline telecommunications industry. The office is responsible for facilitating dispute resolutions between carriers about local interconnection agreements and other wholesale issues. Companies entering an agreement can either 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 interpretation of the contract language. 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, providing telecommunications services for the deaf and hard of hearing, and facilitates the resolution of consumer complaints relating to Lifeline, Telephone Relay, and payphones.

The office prepares the *Annual Report on the Status of the Telecommunications Access System Act of 1991*, the *Annual Report on Lifeline Assistance*, and the *Report on the Efforts of the Florida Public Service Commission to Reduce the Regulatory Assessment Fee for Telecommunications Companies*. In addition, based upon competitive market data analysis, the office compiles and prepares a report on its findings in the *Annual Local Competition Report*.

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. Monitoring company compliance with various FPSC rules, the office initiates action if warranted. The office also acts as the FPSC's technical liaison with the Federal Communications Commission and provides Commissioner support for National Association of Regulatory Utility Commissioners' (NARUC) telecommunications activities.

**Office of  
Industry  
Development &  
Market Analysis**



Mark Futrell  
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 citizens. 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 which may impact Florida consumers and utilities.

The office participates in special studies concerning energy policy, develops discussion papers, and analyzes alternative regulatory approaches for energy policy. Additionally, the office analyzes policy relating to the adequacy, quality, and affordability of Florida's water resources and analyzes issues affecting the water and wastewater industry. The office also prepares technical analyses of special projects for all industries (i.e., electric, telecommunications, and water and wastewater). Finally, the office provides support to Commissioners for NARUC activities pertaining to energy, spent nuclear fuel, environmental regulations, energy efficiency, and renewables, as well as technical support to other staff in docketed and undocketed matters.

# 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		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. McMurrin	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 - 01/01/2018		Crist/Scott
Ronald A. Brisé***	07/23/2010 - 01/01/2018		Crist/Scott
Eduardo E. Balbis	11/24/2010 - 01/01/2015	Jimmy Patronis	Crist/Scott
Julie I. Brown***	01/02/2011 - 01/01/2019		Crist/Scott
Jimmy Patronis	01/02/2015 - 01/01/2019		Scott

\* 2 year initial term

\*\* 3 year initial term

\*\*\* Served/serving as Chairman