

One Energy Place  
Pensacola, Florida 32520

850.444.6111



November 24, 1998

Ms. Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0870

981741-EG

Dear Ms. Bayo:

Enclosed are an original and fifteen copies of Gulf Power Company's Petition for Waiver of Rule 25-17.006(3), Florida Administrative Code.

Sincerely,

A handwritten signature in cursive script that reads "Susan D. Ritenour".

Susan D. Ritenour  
Assistant Secretary and Assistant Treasurer

lw

Enclosures

cc: Administrative Procedures Committee  
Mr. Carroll Webb  
Room 120 Holland Building  
600 South Calhoun Street  
Tallahassee FL 32399-1300  
Beggs and Lane  
Jeffrey A. Stone

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Request for waiver of Rule )  
25-17.006(3), F.A.C., by Gulf Power ) Docket No.: Undocketed  
Company ) Filed: November 25, 1998  
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**GULF POWER COMPANY'S  
PETITION FOR WAIVER  
OF RULE 25-17.006(3), F.A.C.**

GULF POWER COMPANY ("Gulf Power", "Gulf", or "the Company"), by and through its undersigned counsel, and pursuant to Chapter 120.545, Florida Statutes (1997), hereby petitions the Florida Public Service Commission (Commission) for waiver of the filing deadline set forth in Rule 25-17.006(3), Florida Administrative Code. As grounds for the relief requested by this petition, the Company would respectfully show:

Notices and communications with respect to this petition and docket should be addressed to:

Jeffrey A. Stone  
Russell A. Badders  
Beggs & Lane  
P. O. Box 12950  
Pensacola, FL 32576-2950

Susan D. Ritenour  
Assistant Secretary and Assistant Treasurer  
Gulf Power Company  
One Energy Place  
Pensacola, FL 32520-0780

(1) Gulf is a corporation with its headquarters located at 500 Bayfront Parkway, Pensacola, Florida 32501. The Company is an investor-owned electric utility operating under the jurisdiction of this Commission.

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(2) Gulf is required by Rule 25-17.006(3), F.A.C. to collect information on appliance stock, housing characteristics, household demographic characteristics, and twelve months of kilowatt hour billing history. This information is collected from Gulf's customers through a Commission-approved survey. Results of the survey must be filed on or before December 1<sup>st</sup> of the calendar year in which the survey is conducted. The current year, 1998, is a survey year.

(3) Gulf is unable to meet the December 1, 1998 deadline, and hereby seeks a waiver of Rule 25-17.006(3) to allow Gulf to file the required data on January 19, 1999. Gulf is unable to meet the requirements of Rule 25-17.006(3), F.A.C. because customer participation in the survey has not been sufficient to obtain the Commission proscribed number of completed surveys. The extension to January 19, 1999, should allow for the completion of the survey and takes into consideration the unavailability of customers during the Thanksgiving and Christmas holiday period.

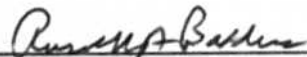
(4) Allowing the brief extension requested herein serves the underlying purpose of Rule 25-17.006(3) and the statutes which are implemented by Rule 25-17.006(3). The purpose of the rule is to provide for the periodic submission of certain conservation information to the Commission. The information submitted by Gulf and the other electric utilities in Florida is utilized by the Commission to estimate the potential Kilowatt hour and demand savings through conservation measures and technologies. Since a total waiver of the rule is not requested herein, and the information required by the rule will be submitted to the Commission with only a minimal delay, the extension of time with full compliance on January 19, 1999 should have no adverse impact on the Commission or any party interested in utilizing the information. The Commission will have the necessary information to estimate the potential Kilowatt hour and

demand savings of conservation measures and technologies in a timely manner.

(5) Gulf would face a substantial hardship if this request for waiver is not granted due to the fact that it cannot obtain the number of completed surveys required by the Commission before December 1, 1998. The level of customer participation is not within the control of Gulf Power.

WHEREFORE, Gulf Power Company respectfully requests the Commission to approve a waiver of Rule 25-17.006(3) to allow Gulf until January 19, 1999 to submit its survey results to the Commission.

Respectfully submitted the 24<sup>th</sup> day of November, 1998.



**JEFFREY A. STONE**

Florida Bar No. 325953

**RUSSELL A. BADDERS**

Florida Bar No. 7455

**Beggs & Lane**

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**Attorneys for Gulf Power Company**