

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by First City ) DOCKET NO. 920422-EG  
Bank of Fort Walton to )  
Withdraw from the Energy ) ORDER NO. PSC-92-0498-FOF-EG  
Conservation Loan Test Program) ISSUED: 06/12/92

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The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
J. TERRY DEASON  
BETTY EASLEY  
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION  
ORDER APPROVING WITHDRAWAL

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

By letter received May 11, 1992, First City Bank of Fort Walton requested the Commission's approval to withdraw from the Energy Conservation Loan Test Program. The bank was originally approved to participate in Gulf Power Company's loan test program by Commission Order No. 17475 dated April 28, 1987. From 1987 through June 1991, the bank made a total of 215 loans in the principal amount of \$788,582.87, for which it received \$63,809.86 from the Commission in interest subsidies. As of March 31, 1992, 90 loans had matured leaving First City with an outstanding unpaid principal balance of \$181,678.88 for the remaining 125 loans.

Although the Commission's authority to guarantee new loans under the test program was discontinued by the Florida Legislature effective July 1, 1991, the guarantee for loans made prior to July 1, 1991 continues for the life of the loans as long as the lending institution continues to file quarterly loan status reports. First City Bank would like to be relieved of the obligation to file these quarterly reports in exchange for releasing the Commission from its obligation to guarantee loan repayment. Having considered the foregoing, we decide that the bank should be relieved of any further responsibility to comply with the reporting requirements of the program and the Florida Public Service Commission will no longer guarantee the program loans.

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Based on the foregoing, it is, therefore

ORDERED by the Florida Public Service Commission that the request of First City Bank of Fort Walton to withdraw from the Energy Conservation Loan Test Program is approved.

ORDERED that this Order shall become final unless an appropriate petition for formal proceeding is received by the Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date indicated in the Notice of Further Proceedings or Judicial Review. It is further

ORDERED that this docket be closed if no petition for formal proceeding or notice of appeal is timely filed herein.

By ORDER of the Florida Public Service Commission, this 12th day of June, 1992.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

by: Kay Flynn  
Chief, Bureau of Records

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on July 6, 1992.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.