

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition by the Florida) DOCKET NO. 940320-GU
Division of Chesapeake Utilities) ORDER NO. PSC-94-0541A-FOF-GU
Corporation for approval of a) ISSUED: May 18, 1994
gas transportation agreement)
with Polk Power Partners, L.P.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

AMENDATORY ORDER

BY THE COMMISSION:

On May 10, 1994, we issued Notice of Proposed Agency Action Order No. PSC-94-0541-FOF-GU approving a petition filed by the Florida Division of Chesapeake Utilities Corporation to entering into a transportation agreement with Polk Power Partners, L.P. Through inadvertence the third paragraph on page 2 of that Order did not include at the end the following sentence "when capacity is otherwise unattainable by the customer."

Order No. PSC-94-0541-FOF-GU is amended to read as follows:

The other change is a capacity relinquishment agreement as required by the Federal Energy Regulatory Commission Order 636, which in effect requires all transportation agreements include an agreement for relinquishment of capacity, when capacity is otherwise unattainable by the customer.

In consideration of the foregoing, it is

ORDERED by the Florida Public Service Commission that Notice of Proposed Agency Action Order No. PSC-94-0541-FOF-GU is amended as discussed in the body of this Order. It is further

ORDERED that Order No. PSC-94-0541-FOF-GU is affirmed in every other respect.

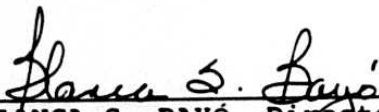
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FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 18th
day of May, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)
MRC:bmi

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.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or 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 after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Civil Procedure. The notice of appeal must be in the form specified in Rule 9.900 (a), Florida Rules of Appellate Procedure.