

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed revision of) DOCKET NO. 960307-EI
rules and regulations,) ORDER NO. PSC-96-0585-FOF-EI
pertaining to access portion of) ISSUED: May 6, 1996
tariff, by Florida Power & Light)
Company.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER APPROVING REVISION TO RULES AND
REGULATIONS PERTAINING TO
ACCESS PORTION OF TARIFF

BY THE COMMISSION:

Over the past year, Florida Power & Light Company's (FPL) field employees have experienced a 57 percent increase in incidents of threats, assaults, and harassments made by customers. FPL petitioned the Commission to approve its Fourth Revised Sheet No. 6.010 and Sixth Revised Sheet No. 6.020. FPL's proposed revisions allow for discontinuance of service until an unsafe situation is resolved.

The proposed changes allow FPL to discontinue service in the event of an unsafe or violent situation and do not relieve FPL of the obligation under Rule 25-6.105 (5), Florida Administrative Code, to provide five days written notice to the customer prior to disconnection. The notice will inform the customer of their right to file a complaint with the Public Service Commission.

FPL maintains that following a reported threat or violent action, the office of corporate security will investigate the incident and verify whether the actions or threats made by the customer have created a dangerous condition. The head of corporate security will notify FPL's consumer affairs department of any valid incidents. An executive officer in consumer affairs and the head of corporate security will then decide whether or not to issue a five-day written notice. This notice will inform the customer that service will be discontinued if further violent or unsafe actions

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are not ceased. In addition to the notice, FPL will contact the customer to discuss concerns for the safety of its personnel. These steps will prevent the employee who is directly involved with the situation from making the decision to discontinue service and provide a more objective view of the overall situation.

FPL will not discontinue service to the customer during the complaint proceedings if a customer disputes the threat or action that FPL believes constitutes a dangerous condition. FPL will address these types of disputes in the same manner as Rule 25-22.032 (10), Florida Administrative Code, treats disputed bills. By FPL agreeing to these conditions, the customer will be sufficiently protected against unjustified disconnections.

FPL has the obligation to ensure, to the best of its ability, that its employees are not exposed to undue danger. The goal of the proposed changes is to provide a safer working environment for all of FPL's field workers and for better service to its customers. FPL has an economic incentive to retain all of its current customers; therefore, it will use good judgment when invoking these tariff provisions. The proposed changes are consistent with Rule 25-6.105 (5)(f), Florida Administrative Code, which states that each utility may refuse or disconnect service to a customer

For neglect or refusal to provide safe and reasonable access to the utility for purpose of reading meters or inspection and maintenance of equipment owned by the utility, provided that written notice, separate and apart from any bill for service, be given the customer.

The new language in no way preempts the rights already afforded to the customer. It merely clarifies potential problems that may occur and provides the utility a means of resolving them. Upon consideration, we approve FPL's proposed revisions.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Power & Light Company's Fourth Revised Sheet No. 6.010 and Sixth Revised Sheet No. 6.020 are approved. It is further

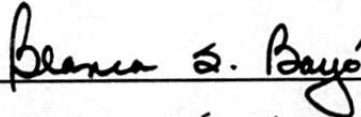
ORDERED that Florida Power & Light Company's Fourth Revised Sheet No. 6.010 and Sixth Revised Sheet No. 6.020 shall become effective immediately. It is further

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ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirements set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 6th day of May, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on May 28, 1996.

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In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 wastewater 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 date this Order becomes final, 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.