

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Southern Gas)	DOCKET NO. 891260-GU
Company, a Division of Donovan)	ORDER NO. 22912
Companies, Inc., for a rate increase.)	ISSUED: 5-9-90
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The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

ORDER DISMISSING PETITION AND CLOSING DOCKET

BY THE COMMISSION:

On November 2, 1989 Southern Gas Company (SCG or Southern) filed a request for approval of an historic base period and a projected test year, as precursor to petitioning for a rate increase. On November 7, 1989 Southern's request for approval of a historic base period and a projected test year was granted, and Southern was given until February 28, 1990 to file its complete petition. At Southern's request the date for filing was extended to March 31, 1990.

On March 16, 1990, Southern filed a request that its petition for a rate increase be withdrawn and this docket be terminated. The reason given for the request was that Southern's assets had been sold to Peoples Gas System.

Rule 25-22.035(3), Florida Administrative Code, and Rule 1.420(a)(1), Florida Rules of Civil Procedure, provide that a complainant can dismiss or withdraw his petition at any time, prior to submittal of his case to the trier of fact.

In consideration of the foregoing, it is

ORDERED that the petition be dismissed. It is further

ORDERED that this docket be closed should no Motion for Reconsideration or Notice of Appeal be timely filed.

DOCUMENT NUMBER-DATE

04014 MAY-9 1990

PSC-RECORDS/REPORTING

ORDER NO. 22912
DOCKET NO. 891260-GU
PAGE 2

By Order of the Florida Public Service Commission
this 9th day of MAY, 1990.


STEVE TRIBBLE, 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.

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 Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.