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August 1, 1990

Mr. Steve Tribble, Director
Division of Records & Reporting
Public Service Commission
Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0870

Re: Petition of Suwannee Valley Electric Cooperative, Inc. to resolve a territorial dispute with Florida Power & Light Company (Huntsville Grocery Store) Docket #900476-EU

Dear Mr. Tribble:

Attached please find original and 15 copies of Stipulation of Facts Between Florida Power & Light Company and Suwannee Valley Electric Cooperative, Inc. and Joint Motion for Resolution of Territorial Dispute which I will appreciate your filing in the above styled case.

Sincerely,

J. Christian Meffert

bbk

enclosures

cc: Bob Christ, Esq.

- ACK
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG
- LEG W/M
- LIN 6
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- RCH _____
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- WAS _____
- OTH _____

RECEIVED & FILED

Kay Flynn
PSC-BUREAU OF RECORDS

Joint Motion
DOCUMENT NUMBER-DATE
06947 AUG -1 1990
PSC-RECORDS/REPORTING

Stipulation
DOCUMENT NUMBER-DATE

06946 AUG -1 1990

PSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Suwannee Valley
Electric Cooperative, Inc. to resolve
a territorial dispute with Florida
Power & Light Company (Huntsville
General Store.)

Docket No: 900476-EU

STIPULATION OF FACTS BETWEEN FLORIDA POWER & LIGHT
COMPANY AND SUWANNEE VALLEY ELECTRIC COOPERATIVE, INC.

Petitioner, Suwannee Valley Electric Cooperative, Inc.
(hereinafter SVEC), and Respondent, Florida Power & Light
Company, (hereinafter FPL), jointly stipulate to the following
facts:

1. This territorial dispute involves the provision of service to the Huntsville General Store located on County Road 250 in rural Columbia County, Florida.
2. There is no territorial agreement between SVEC and FPL in this area which is the subject of this proceeding.
3. Pursuant to Section 366.04(2)(e), Florida Statutes, the Commission has jurisdiction to resolve territorial disputes between public utilities and rural electric cooperatives.
4. For a period of time in excess of one year SVEC provided electrical service to the Huntsville General Store and its service customer, Lee A. Thomson.
5. The service customer, Lee A. Thomson, was delinquent in payment for past due charges for electric service for the Huntsville General Store and SVEC had temporarily withheld service to the store on October 30, 1989 pending payment for past service rendered.
6. On November 1, 1989, FPL received a written request for service from Frank M. Gafford, Esquire, on behalf of the owners of the Huntsville General Store, Lee A. Thomson and Juanita

Thomson.


7. On November 3, 1989, FPL honored the request for service to the Huntsville General Store. In order to comply with the customer request for service, it was necessary for FPL to duplicate the facilities of SVEC.

8. Prior to FPL's inspection of the Huntsville General Store premises and subsequent provision of service on November 3, 1989, someone other than SVEC or FPL severed SVEC's service line from the Huntsville General Store and removed SVEC's meter.

9. On November 4, 1989, SVEC received a call to its service center informing it that its service line had been severed from the Huntsville General Store and was hanging on the ground. SVEC immediately dispatched a service crew to the site. Upon arrival at the store, the service crew was handed the meter that had been detached from the building by someone coming from inside the building.


Respectfully submitted,

AIRTH, SELLERS, LEWIS & PREVATT


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Attorneys for FLORIDA POWER &
LIGHT COMPANY

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Joint Motion has been furnished by United States Mail to FRANK M. GAFFORD, ESQUIRE, Post Office Box 1789, Lake City, Florida 32056-1789, attorney for Huntsville General Store, on this 1st day of ~~July~~, 1990.

AUGUST



J. Christian Meffert, Esquire