

Suwannee Bond

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OF COUNSEL

November 8, 1990

Honorable Steve Tribble, Director
Division of Records and Reporting
Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850

900915-E4

Re: Territorial Dispute Between the Petitioner, SUWANNEE VALLEY ELECTRIC COOPERATIVE, INC., and the Respondent, FLORIDA POWER & LIGHT COMPANY, (H. R. Driggers Property)

Dear Sir:

Enclosed are the original and 15 copies of Petitioner, Suwannee Valley Electric Cooperative, Inc.'s Petition to Resolve Territorial Dispute by invoking the jurisdiction of the Public Service Commission. Please accept the same for filing and advise me at your earliest convenience of the docket number assigned to this proceeding.

Should you have any questions regarding the enclosed, please do not hesitate to contact me. Your courtesies and cooperation are greatly appreciated.

Very truly yours,



James W. Prevatt, Jr.

JWP, JR/gpl

Enclosures

DOCUMENT NUMBER-DATE

10068 NOV-9 1990

FPSC-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 CORPORATION)
(H. R. Driggers Property).)
_____)

DOCKET NO. 900915-E4

PETITION TO RESOLVE TERRITORIAL DISPUTE

The Petitioner, SUWANNEE VALLEY ELECTRIC COOPERATIVE, INC., commences this proceeding against the Respondent, FLORIDA POWER & LIGHT CORPORATION, to resolve a territorial dispute and asserts as follows:

1. The Petitioner, SUWANNEE VALLEY ELECTRIC COOPERATIVE, INC., (hereinafter "SVEC") is a rural electric cooperative, organized and existing pursuant to the provisions of Section 425.01, et seq., Florida Statutes.

2. The Respondent, FLORIDA POWER & LIGHT CORPORATION, (hereinafter "FPL") is a public utility as defined by Section 366.02(1), Florida Statutes.

3. The Florida Public Service Commission has jurisdiction of this proceeding pursuant to Section 366.04(2)(e), Florida Statutes, which provides that the Commission has the jurisdiction to resolve any territorial dispute involving service areas between and among rural electric cooperatives, municipal electric utilities and other electric utilities under its jurisdiction.

4. The material facts underlying this territorial dispute are as follows:

a. On or about June 22, 1990, FPL received a written request for service from Mr. H. R. Driggers for his property located in Columbia County, Florida.

b. The service area surrounding area the property in question is a rural area with a low degree of

urbanization. The surrounding area has traditionally been served by SVEC.

c. FPL's impending improper encroachment upon the service area previously established by SVEC would be an uneconomic duplication of electric service. SVEC has existing service surrounding the retail customer. FPL would have to run over 9000 feet of distribution line to service the retail customer.

d. Attached hereto as Exhibit #1 is a diagram depicting the location of the Driggers property, and the service lines and transformers of SVEC that are in place.

5. SVEC should be directed to serve the disputed area and FPL should be directed to refrain from erecting utility poles, distribution line and transformers encroaching upon the territory of SVEC.

WHEREFORE, the Petitioner, SUWANNEE VALLEY ELECTRIC COOPERATIVE, prays that this Commission will take jurisdiction of the parties and subject matter hereof and enter its order directing that the H. R. Driggers' property is the service area of SUWANNEE VALLEY ELECTRIC COOPERATIVE, INC and enter its order enjoining FLORIDA POWER & LIGHT CORPORATION from offering

electric service and encroaching into the service area of
SUWANNEE VALLEY ELECTRIC COOPERATIVE, INC.

Respectfully submitted,



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Attorneys for SUWANNEE VALLEY
ELECTRIC COOPERATIVE, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by United States Mail, Postage pre-paid to DAVID G. COBB, Post Office Box 1885, Lake City, Florida 32056-1885, J. CHRISTIAN MEFFERT, ESQUIRE, 201 South Monroe Street, Suite 500, Tallahassee, Florida 32301 and to K. CRANDAL McDOUGALL, ESQUIRE, Post Office Box 029100, Miami, Florida 33102-9100 on November 8, 1990.

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