

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revisions to
renewable energy tariff, by Florida Public
Utilities Company.

DOCKET NO. 080283-EQ
ORDER NO. PSC-08-0469-PCO-EQ
ISSUED: July 21, 2008

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Section 366.91, Florida Statutes, and Rule 25-17.250, Florida Administrative Code, require each investor-owned utility to file with us each year a standard offer contract for the purchase of firm capacity and energy from renewable generating facilities and small qualifying facilities with a design capacity of 100 kilowatts (kW) or less. The standard offer contracts reflect each utility's next avoided unit shown in its most recent Ten Year Site Plan. Accordingly, Florida Public Utilities Company has filed its petition for approval of revisions to renewable energy tariff. We have jurisdiction over these contracts pursuant to Sections 366.04 through 366.06, 366.91, and 366.92, Florida Statutes.

Pursuant to Section 366.06(3), Florida Statutes, we may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility making the request a reason or written statement of good cause for doing so within 60 days. As such, we find that the tariff shall be suspended to allow our staff sufficient time to review the petition in order to present us with an informed recommendation on the tariff proposals. This reason is good cause consistent with the requirements of Section 366.06(3), Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Public Utilities Company's Petition for approval of revisions to renewable energy tariff is hereby suspended. It is further

ORDERED that these dockets shall remain open pending a substantive decision on the proposed tariff revisions.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 21st day of July, 2008.



ANN COLE
Commission Clerk

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, 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 wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.