

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Peoples Gas)	DOCKET NO. 891353-GU
System, Inc. for a rate increase.)	ORDER NO. 23142
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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

ORDER SUSPENDING PROPOSED PERMANENT RATES

BY THE COMMISSION:

On April 12, 1990, Peoples Gas System (Peoples) filed a petition requesting authority to increase rates and charges to add revenues of \$14,283,034. That would allow Peoples to earn an overall rate of return of 10.64%, or 13.75% return on equity. The Company did not request an interim increase.

Section 366.06(3), Florida Statutes, imposes an affirmative obligation upon this Commission to decide within sixty (60) days of filing whether to withhold consent to all or part of a utility's proposed permanent rate increase. If the Commission withholds consent to the implementation of the new rate schedules, it must deliver to the utility a reason or written statement of good cause for withholding consent.

Upon review of the petitions and the rate increases proposed therein, we find that the proposed rate schedules must be suspended pending the outcome of a formal hearing. We deem it necessary to withhold consent to the operation of the new rate schedules, to require further review of the underlying data and calculations and to require additional support and information in proceedings to be held in this docket.

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that consent to the rate schedules filed by Central Florida Gas Company and Peoples Gas System on April 12, 1990, designed to generate \$14,283,034 in additional revenues, is withheld, and the rate schedules are suspended pending further order of this Commission.

By ORDER of the Florida Public Service Commission, this 3rd day of JULY, 1990.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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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 this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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

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or sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, 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.