

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Florida Power Corporation	)	DOCKET NO. 891335-EI
1989 Depreciation Study.	)	ORDER NO. 23790
	)	ISSUED: 11-21-90

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman  
 THOMAS M. BEARD  
 BETTY EASLEY  
 GERALD L. GUNTER  
 FRANK S. MESSERSMITH

NOTICE OF PROPOSED AGENCY ACTION  
ORDER APPROVING PRELIMINARY RECORDING OF DEPRECIATION RATES

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Florida Power Corporation (FPC) on November 29, 1989 filed a depreciation study. Its last comprehensive depreciation rate rescription was in 1981 and at that time rates were based on whole life or average service life methodology.

In its study, FPC proposed a January 1, 1990 implementation date for the new depreciation rates. In response to an inquiry from our staff about the implementation date, FPC revised its implementation date and thereafter requested a date for the revised rates of December 1, 1990 or the first day of the month in which the Commission takes final action in this docket.

We have reviewed FPC's request and find that the depreciation rates as proposed in its November 29, 1989 filing shall be preliminarily implemented on December 1, 1990 subject to a true-up with the rates which we find to be appropriate upon final agency action.

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Now therefore, in consideration of the above, it is

ORDERED by the Florida Public Service Commission that the request of Florida Power Corporation to begin preliminary booking of its November 29, 1989 proposed depreciation rates, commencing December 1, 1990, is granted on the condition that the Florida Public Service Commission's final decision in this docket will be trued-up by Florida Power Corporation to reflect any difference from this Order. It is further

ORDERED that Docket No. 891335-EI shall remain open for the purpose of considering final action on the depreciation study filed by Florida Power Corporation.

By ORDER of the Florida Public Service Commission, this 21st day of NOVEMBER, 1990.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )

MRC:bmi  
891335.bmi

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.

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The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on December 17, 1990.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by 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 of the effective date 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.