

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for waiver of)	DOCKET NO. 900865-EI
implementation date of Rule 25-6.105,)	
F.A.C., pertaining to discontinuance)	ORDER NO. 23967
of service, by TAMPA ELECTRIC COMPANY.)	ISSUED: 1-8-91

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 ACTIONORDER APPROVING REQUEST FOR WAIVER

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.

On October 24, 1990, Tampa Electric Company (TECO) requested a waiver of amended Rule 25-6.105, Florida Administrative Code, to allow it to delay implementing the rule change until March 31, 1991. Amended Rule 25-6.105, effective January 1, 1991, states in part, "[i]f the utility will discontinue service, the utility shall notify the customer at least five (5) working days prior to discontinuance of that service" TECO states that it requires additional time to program its computers to provide the additional notice to customers. We find that no harm to the public will result from granting TECO's request for a waiver of the implementation of this rule change until March 31, 1991.

Accordingly, it is

ORDERED by the Florida Public Service Commission that the request for waiver until March 31, 1991 of the implementation date of Rule 25-6.105, Florida Administrative Code, by Tampa Electric Company is granted. It is further

DOCUMENT NUMBER-DATE

00241 JAN-8 1991

PSC-RECORDS/REPORTING

ORDER NO. 23967
DOCKET NO. 900865-EI
PAGE 2

ORDERED that this docket shall be closed if no protest is filed in accordance with the requirements set forth below.

By ORDER of the Florida Public Service Commission, this 8th day of JANUARY, 1991.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

CTM

by: Kay Hagan
Chief, Bureau of Records

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.

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 January 29, 1991.

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

ORDER NO. 23967
DOCKET NO. 900865-EI
PAGE 3

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.