

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to revise) DOCKET NO. 931243-GU
completion date for removal of) ORDER NO. PSC-94-0255-FOF-GU
certain inactive service lines) ISSUED: March 8, 1994
by CITY GAS COMPANY OF FLORIDA)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING PETITION TO REVISE COMPLETION DATE FOR
REMOVAL OF INACTIVE SERVICE LINES

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 substantially affected files a petition for formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

As one of a number of stipulated issues in its last full rate proceeding (Docket No. 891175-GU), City Gas Company of Florida (City Gas or the company) agreed to physically remove all service lines which had been inactive for five years or longer. Removal of a service line requires cutting and capping the individual line. City Gas agreed to complete this project by December 31, 1993. Order No. 24013 approved the stipulation and established the December 31, 1993 deadline.

By letter dated November 19, 1993 and by Petition filed December 28, 1993, City Gas requested a one year extension of time to complete the removal. The Petition states that "Hurricane Andrew devastated a portion of City Gas' service area in Dade County. The extraordinary repair and maintenance activities associated with Hurricane Andrew have totally consumed City Gas' maintenance resources". In its Petition, the company indicated that approximately 361 of the originally identified 1378 service lines still require removal.

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For these reasons, we find that City Gas Company of Florida's request for a one year extension to December 31, 1994 to complete the removal of inactive service lines should be granted. To enable the staff to adequately monitor compliance with the Commission's mandate, the company shall continue to file on a calendar quarterly basis a report detailing the progress made-to-date in completing the removal project.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Petition to Revise Completion Date filed by City Gas Company of Florida shall be and is hereby granted. It is further

ORDERED that the company shall remove all inactive service lines identified for removal in its last rate case no later than December 31, 1994. It is further

ORDERED that the company shall continue to file on a calendar quarterly basis a report detailing the progress made-to-date in completing the removal project. It is further

ORDERED that if no person whose substantial interests are affected by the action proposed by the Commission files a petition for a formal proceeding within the 21 day protest period, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 8th day of March, 1994.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

RVE

by: Kay Lynn

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 March 29, 1994.

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 wastewater 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.