

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request to modify ) DOCKET NO. 940769-EI  
Outdoor Service rate schedule by ) ORDER NO. PSC-94-1007-FOF-EI  
GULF POWER COMPANY. ) ISSUED: August 22, 1994  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK  
JULIA L. JOHNSON  
DIANE K. KIESLING

ORDER APPROVING MODIFIED TARIFF

BY THE COMMISSION:

By Order No. PSC-94-0564-FOF-EI, issued May 11, 1994, we approved several changes to Gulf's OS rate schedule, including the addition of a number of new fixture and pole offerings. These changes became effective on June 1, 1994. Among the new offerings was a 40-foot concrete pole offered under the General Area Lighting (OS-II) rate schedule. The monthly charge for this offering was set at \$9.65. Gulf subsequently discovered that an incorrect material unit cost for this pole was used in the setting of the monthly charge. A material unit cost of \$500.01 was used in the original calculation. The correct material cost as represented by Gulf is \$358.00. With the exception of the use of the corrected material unit cost, the revised charge for the 40-foot concrete pole has been calculated in a manner identical to that used to develop the initial charge. Using the lower unit cost, the new monthly charge as proposed by Gulf is \$7.10.

In addition, Gulf also proposes to add two addenda which are applicable to both the Street Lighting (OS-I) contract and the General Area Lighting (OS-II) Service Agreement. Order No. PSC-94-0564-FOF-EI, issued May 11, 1994, provided an option that allows utility customers to make an up-front payment for lighting fixtures and additional facilities such as poles, in lieu of the tariffed monthly charges. The proposed addenda consist of forms that implement the option provision.

Based on the foregoing, we approve the modified charge for the 40-foot concrete pole and the addenda. However, the incorrect rate for the pole has been in effect since June 1, 1994. Therefore, Gulf shall refund any customers who were billed \$9.65 per month the

DOCUMENT NUMBER-DATE  
08513 AUG 22 1994  
FPSC-RECORDS/REPORTING

ORDER NO. PSC-94-1007-FOF-EI  
DOCKET NO. 940769-EI  
PAGE 2

difference between what they paid and what they should have paid based on the corrected charge of \$7.10 per month.

Based on the foregoing, it is, therefore,

ORDERED by the Florida Public Service Commission that the proposed modification by Gulf Power Company to its OS rate schedule and ancilliary addenda are hereby approved for the reasons set forth in the text of this Order. It is further

ORDERED that the tariff shall become effective August 19, 1994.

ORDERED that if a protest is filed in accordance with the requirements set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

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

By ORDER of the Florida Public Service Commission, this 22nd day of August, 1994.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

by: Kay Flynn  
Chief, Bureau of Records

( S E A L )  
SLE

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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests

ORDER NO. PSC-94-1007-FOF-EI  
DOCKET NO. 940769-EI  
PAGE 3

are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on September 12, 1994.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.