

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request to provide) DOCKET NO. 940795-EU
temporary electric service for) ORDER NO. PSC-94-1188-FOF-EU
FLORIDA POWER CORPORATION) ISSUED: September 28, 1994
pursuant to a territorial)
agreement by SUWANNEE VALLEY)
ELECTRIC COOPERATIVE, INC.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION

ORDER APPROVING REQUEST TO PROVIDE TEMPORARY ELECTRIC SERVICE

BY THE COMMISSION:

Suwannee Valley Electric Cooperative, Inc. (SVEC) and Florida Power Corporation (FPC) entered into a territorial agreement covering their respective service areas in Hamilton County. We approved the agreement on July 12, 1990.¹ Section 4B of the agreement provided that one utility could request that the other utility provide interim service to a customer of the first utility until the first utility could reasonably extend its facilities to serve the customer. In our approval of the agreement we required FPC and SVEC to obtain Commission approval of all temporary service arrangements the parties made.

In compliance with that requirement the parties provided our staff with a copy of a letter from FPC to SVEC requesting SVEC to provide temporary construction power for the Hamilton Correctional Institute expansion. The parties also provided a copy of SVEC's

¹ Docket No. 890780-EU, Order No. 23178, Petition of Suwannee Valley Electric Cooperative, Inc. to Settle a Territorial Dispute Against FPC. Order Approving Territorial Agreement and Dismissal of Complaint.

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response to FPC agreeing to provide the temporary service. The letters indicate that SVEC will provide electric service to the construction offices at the Hamilton County Correctional Institute while an annex to the institute is being built. When the annex is completed the construction offices will be dismantled. The construction offices will only require electric service temporarily, and SVEC is in a better location to offer service at this time. The arrangement minimizes inconvenience to the Hamilton Correctional Institute and avoids unnecessary expense for FPC. FPC will construct and maintain permanent service to the Institute annex in accordance with the terms and conditions of the territorial agreement. We approve the interim service arrangement.

As mentioned above, when we originally approved the territorial agreement between FPC and SVEC, we directed the parties to seek our approval of every interim service arrangement they made. We believe that it is more reasonable to only require formal approval of those interim service arrangements which last or are expected to last for more than one year. This better reflects our current policy regarding interim service arrangements. In the future, the parties should request formal approval of interim service arrangements which last or are expected to last for more than one year. It is, therefore,

ORDERED by the Florida Public Service Commission that the request to provide temporary electric service for Florida Power Corporation pursuant to a territorial agreement by Suwannee Valley Electric Cooperative, Inc. is approved. It is further

ORDERED that if no protests are filed within 21 days of date of issuance this Proposed Agency Action Order, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 28th day of September, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Higgins
Chief, Bureau of Records

(S E A L)
MCB

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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on October 19, 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 substantially 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.