

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for approval of) DOCKET NO. 951255-EM
proposed optional contract) ORDER NO. PSC-95-1442-FOF-EM
electric service schedule by) ISSUED: November 28, 1995
Fort Pierce Utilities Authority.)
_____)

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING FORT PIERCE UTILITIES AUTHORITY'S
CONTRACT ELECTRIC SERVICE SCHEDULE

BY THE COMMISSION:

On August 21, 1995, Fort Pierce Utilities Authority (Fort Pierce), a municipal utility, filed a Contract Electric Service Rate Schedule (Contract Rate). This optional rate schedule allows Fort Pierce to offer a discounted rate to existing commercial customers who expand their load or to new commercial customers who locate in Fort Pierce's service territory. The customer charge and the demand charge are set at the applicable standard rate, the energy charge is subject to negotiation. A customer receiving service under this schedule shall contract to remain on the rate for a maximum of five years. The negotiated rate will be increased annually so that at the end of the five year period, the customer will pay the applicable standard rate.

Through its participation in the Florida Municipal Power Agency, Fort Pierce is under contract to receive 60 MW of capacity in June 1996. With this additional capacity, Fort Pierce projects to have excess capacity available for several years.

The Commission does not regulate the revenue requirement or rate level of municipal utilities, therefore, we give great deference to Fort Pierce's request. Having considered the request, we find it should be approved. The effective date of the tariff is October 1, 1995. Our approval of Ft. Pierce's Contract Rate, however, should not be used as a precedent for rate discounts

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proposed by utilities over which we do have rate level jurisdiction.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Fort Pierce Utilities Authority's Contract Electric Service Rate Schedule is hereby approved. 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 28th day of November, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Hegan
Chief, Bureau of Records

(S E A L)

VDJ

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 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

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petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 19, 1995.

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.