

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revisions to general rules and regulations and tariff pertaining to Medically Essential Service by Florida Power Corporation.

DOCKET NO. 990334-EI

In re: Petition for approval of revisions to general rules and regulations and tariff pertaining to Medically Essential Service by Tampa Electric Company.

DOCKET NO. 990336-EI

In re: Petition for approval of revisions to general rules and regulations and tariff pertaining to Medically Essential Service by Florida Power & Light Company.

DOCKET NO. 990293-EI

In re: Petition for approval of revisions to general rules and regulations and tariff pertaining to Medically Essential Service by Gulf Power Company.

DOCKET NO. 990317-EI
ORDER NO. PSC-99-0930-TRF-EI
ISSUED: May 10, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

ORDER APPROVING TARIFF MODIFICATIONS

BY THE COMMISSION:

During the August 4, 1998, Agenda Conference we instructed our staff and the Investor Owned Electric Utilities (IOU) to give a presentation at an Internal Affairs meeting explaining the policies

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and procedures for Medically Essential electric service. On November 2, 1998, staff gave an overview and the IOUs explained their policies and procedures regarding Medically Essential electric service as well as their various "Share" programs and the level of their contributions. Mr. Tony Giorgio of Compassion National Children's Foundation also made a presentation explaining the concerns of both the Foundation and its clients.

Following the November 2, 1998, Internal Affairs meeting, both the utilities and our staff worked on modifications to the Medically Essential electric service tariffs in order to address the concerns expressed by the Commission regarding additional deposits. The additional language included in the proposed tariff is as follows: "The Company will grant special consideration to a Medically Essential Service Customer in the application of Rule 25-6.097(3) Customer Deposits, of the Florida Administrative Code." This additional language should ease the financial burden of additional deposits on Medically Essential customers.

Mr. Giorgio continued to express concerns that the tariff does not go far enough. In a letter dated March 22, 1999, Mr. Giorgio suggested that the IOUs expand the definition of Medically Essential electric service to include customers who do not require continuously operating electric-powered medical equipment, eliminate additional deposits for anyone qualifying for Medically Essential service, and follow policies consistent with some other states including: New Hampshire, Massachusetts, Oregon, and New York. New Hampshire and Massachusetts allow customers to receive an indefinite extension of service, Oregon allows an extension of up to 12 months for chronic cases, and New York's Consolidated Edison keeps records of customers who use electrically operated support system, so they can "help in case of an emergency."

We believe that the proposed tariffs make significant progress in all of these areas. We also believe that these tariffs will bring Florida's IOUs and this Commission's handling of Medically Essential electrical service into line with the vast majority of states as surveyed by our staff. Although the definition of Medically Essential was not expanded to include customers with asthma for example, the definition of Medically Essential among the IOUs will be the same. Medically Essential customers will be granted special consideration when they are faced with additional deposits.

ORDER NO. PSC-99-0930-TRF-EI
DOCKETS NOS. 990334-EI, 990336-EI, 990293-EI, 990317-EI
PAGE 3

Each IOU submitted an identical tariff for our review. This Order disposes of the tariffs contained in Docket Nos. 990334-EI, 990336-EI, 990293-EI, and 990317-EI. Each of these tariffs contains the following language:

For purposes of this section, a Medically Essential Service Customer is a residential customer whose electric service is medically essential, as affirmed through the certificate of a doctor of medicine licensed to practice in the State of Florida. Service is "medically essential" if the customer has continuously operating electric-powered medical equipment necessary to sustain the life of or avoid serious medical complications requiring immediate hospitalization of the customer or another permanent resident at the service address. The physician's certificate shall explain briefly and clearly, in non-medical terms, why continuance of electric service is medically essential, and shall be consistent with the requirements of the Company's tariff. A customer who is certified as a Medically Essential Service Customer must renew such certification periodically through the procedures outlined above. The Company may require certification no more frequently than 12 months.

The Company shall provide Medically Essential Service Customers with a limited extension of time, not to exceed thirty (30) days, beyond the date service would normally be subject to disconnection for non-payment of bills (following the requisite notice pursuant to Rule 25-6.105 (5) of the Florida Administrative Code). The Company shall provide the Medically Essential Service Customer with written notice specifying the date of disconnection based on the limited extension. The Medically Essential Service Customer shall be responsible for making mutually satisfactory arrangements to ensure payment within this additional extension of time for service provided by the Company and for which payment is past due, or to make other arrangements for meeting medically essential needs.

No later than 12 noon one day prior to the scheduled disconnection of service of a Medically Essential Service Customer, the Company shall attempt to contact such customer by telephone in order to provide notice of the

scheduled disconnect date. If the Medically Essential Service Customer does not have a telephone number listed on the account, or if the utility cannot reach such customer or other adult resident of the premises by telephone by the specified time, a field representative will be sent to the residence to attempt to contact the Medically Essential Service Customer, no later than 4 pm of the day prior to scheduled disconnection. If contact is not made, however, the company may leave written notification at the residence advising the Medically Essential Service Customer of the scheduled disconnect date; thereafter, the Company may disconnect service on the specified date. The Company will grant special consideration to a Medically Essential Service Customer in the application of Rule 25-6.097(3) of the Florida Administrative Code.

We believe that in addition to the Medically Essential designation, the utilities are taking adequate steps to protect customers who require life sustaining medical equipment. Through various "Share" programs the IOUs' shareholders and customers donated more than \$1.4 million last year. These funds are distributed by social services agencies to customers in need, many of which are Medically Essential electric customers. It is important to emphasize that the purpose of the Medically Essential tariff is not to prevent disconnection entirely, but only to allow the customer more time to explore other options. However, by providing additional information and protection, we believe the proposed uniform tariff would be a step forward in simplifying the application of the Medically Essential electric service provision.

Based on the foregoing, it is

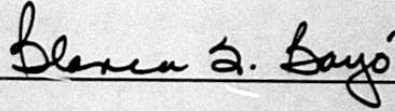
ORDERED by the Florida Public Service Commission that the tariffs filed in Docket Nos. 990334-EI, 990336-EI, 990293-EI, and 990317-EI, are approved effective June 1, 1999. It is further

ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariffs 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, a consummating order closing these dockets shall be issued.

ORDER NO. PSC-99-0930-TRF-EI
DOCKETS NOS. 990334-EI, 990336-EI, 990293-EI, 990317-EI
PAGE 5

By ORDER of the Florida Public Service Commission this 10th
day of May, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Section 120.57, 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 will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The Commission's decision on this tariff is interim in nature and will become final upon the filing of a consummating order, unless a person whose substantial interests are affected by the proposed action files a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This 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 May 31, 1999.

ORDER NO. PSC-99-0930-TRF-EI
DOCKETS NOS. 990334-EI, 990336-EI, 990293-EI, 990317-EI
PAGE 6

In the absence of such a petition, this Order shall become final and effective on the day a consummating order is issued.

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.