

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida
Public Utilities Company for
approval of revisions to service
charge tariffs, Schedules No.
22.1 (Electric), No. 22 (Gas),
and No. 17.1 (Water), which
would provide for late payment
charge.

DOCKET NO. 000165-PU
ORDER NO. PSC-00-0761-TRF-PU
ISSUED: April 18, 2000

The following Commissioners participated in the disposition of
this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.
LILA A. JABER

ORDER GRANTING APPROVAL OF TARIFF FOR LATE PAYMENT CHARGE

BY THE COMMISSION:

On February 10, 2000, Florida Public Utilities Company (FPUC) filed a petition for approval of a late payment charge. FPUC's proposed late payment charge will apply to FPUC's electric Fernandina Beach and Marianna Divisions, Natural Gas Divisions, and Fernandina Beach Water Division.

FPUC proposed to apply a late payment charge when a customer fails to pay a bill by the past-due date indicated on the customer's bill. Rules 25-6.101, Florida Administrative Code, 25-7.090, Florida Administrative Code, and 25-30.335(4), Florida Administrative Code, require that bills shall not be considered delinquent prior to the expiration of 20 days from the date of mailing. The proposed late payment charge for customers is 1.5 percent of any unpaid prior months' billings except for accounts of federal, state, and local government entities. These governmental entities are subject to the imposition of a late payment charge in accordance with Section 215.422, Florida Statutes (state agencies), Section 218.70-.79, Florida Statutes (local governmental agencies), and 31 U.S.C. 3901-3907 (federal governmental agencies).

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FPSC-RECORDS/REPORTING

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We have approved late payment charges similar to the charge proposed by FPUC for several other Florida electric, gas, and water utilities. In Order No. PSC-95-1087-FOR-EI, issued August 31, 1995, we approved a late payment charge for Florida Power Corporation; in Order No. PSC-96-0469-FOF-EI, issued April 4, 1996, we approved a late payment charge for Tampa Electric Company; and in Order No. 24271, issued March 21, 1991, we approved a late payment charge for Florida Power & Light Company.

With respect to gas utilities, we have granted authority to assess a late payment fee to Sebring Gas System, Inc. in Order No. PSC-99-1953-TRF-GU; City Gas Company of Florida in Order No. PSC-98-0261-FOR-GU; Peoples Gas System, Inc. in Order No. PSC-96-0371-FOR-GU; and St. Joe Natural Gas Company in Order No. PSC-96-1000-FOR-GU.

Finally, we granted approval for a late payment charge for Vineyards Utility, Inc. in Order No. 18622, issued December 31, 1987, in Docket No. 870331-WS; and for Sunray Utilities, Inc. in Order No. 20252, issued November 3, 1988, in Docket No. 870649-WS.

We believe that the late payment charge is an appropriate charge that places the costs associated with unpaid bills on the cost causer, and encourages prompt payment, thereby reducing expenses associated with unpaid balances. Prior to implementation, FPUC should provide a thirty-day advance notice to its customers. FPUC should submit a sample of the notice to the appropriate Division of the Commission (i.e., Electric & Gas or Water and Wastewater) for staff approval prior to implementation. We hereby approve FPUC's proposed revised tariff sheets for the electric, gas, and water tariffs (Seventh Revised Sheet No. 22.1; Eleventh Revised Sheet No. 22 and First Revised Sheet No. 22.1; Third Revised Sheet No. 17.1, respectively) containing the late payment charge.

The effective date of the revised service charges tariff will coincide with FPUC's ability to implement and administer the charges in its billing system. Once the billing system is modified to accommodate the revised service charge, FPUC will notify our staff and request administrative approval of the effective date.

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Based on the foregoing, it is

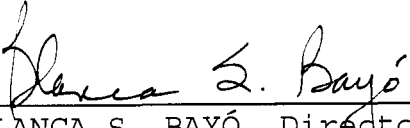
ORDERED by the Florida Public Service Commission that Florida Public Utilities Company's request for approval of its late payment charge is hereby approved. It is further

ORDERED that Staff will administratively approve the effective date of the service charge. Its is further

ORDERED that if a protest is filed within 21 days of issuance of the Order, the tariff shall remain in effect with any charges held subject to refund pending resolution of the protest. It is further

ORDERED that if no timely protest is filed, this docket shall be closed upon the issuance of a Consummating Order.

By ORDER of the Florida Public Service Commission this 18th day of April, 2000.



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 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.

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, 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 9, 2000.

In the absence of such a petition, this Order shall become final and effective upon the issuance of a Consummating Order.

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.