

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for rate increase
by St. Joe Natural Gas Company,
Inc.

DOCKET NO. 001447-GU
ORDER NO. PSC-01-0255-PCO-GU
ISSUED: January 29, 2001

ORDER GRANTING PARTIAL WAIVER OF MFRs

On November 13, 2000, St. Joe Natural Gas Company, Inc. ("SJNG" or the "Company"), filed its Expedited Request for Partial Waiver of MFRs. SJNG requests a waiver of the portion of Rule 25-7.039, Florida Administrative Code, that requires reference to the Company's last rate case in preparing its Minimum Filing Requirements ("MFRs"). SJNG asserts that its only rate case was in 1967, and that to require the Company to refer back to that 1967 case for purposes of completing its MFRs would be impractical and unduly burdensome.

The Company proposes instead to use the Commission's last order addressing SJNG's rates in place of the last rate case for purposes of completing the MFRs. The Commission's last order addressing SJNG's rates was issued on May 7, 1997, in connection with SJNG's petition for rate restructuring. See Order No. PSC-97-0526-FOF-GU, Docket No. 970115-GU. The Company argues that using the data from 1967 will produce meaningless information in the MFRs, while using the 1997 rate restructuring data will allow the Commission to adequately examine trends, make comparisons, and evaluate adjustments. The Company subsequently filed its MFRs on December 15, 2000, using the 1997 data.

Rule 25-7.039(3), Florida Administrative Code, states:

The Commission may grant a waiver with respect to specific data required by this rule upon a showing that production of the data would be impractical or impose an excessive burden upon the company.

I find that requiring SJNG to refer back to its 1967 rate case for purposes of completing its MFRs would be impractical and unduly burdensome for the company. Moreover, use of the 1997 rate restructuring data will provide the Commission with more accurate and meaningful information with which to process this rate request.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

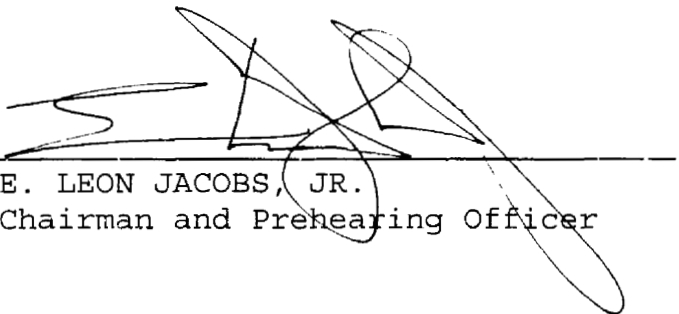
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Based on the foregoing, it is therefore

ORDERED by Chairman E. Leon Jacobs, Jr., as Prehearing Officer, that St. Joe Natural Gas Company, Inc., is granted a waiver of Rule 25-7.039, Florida Administrative Code, that it refer to its last rate case for the data necessary to complete its Minimum Filing Requirements. It is further

ORDERED that St. Joe Natural Gas Company, Inc., be permitted to use the data from its 1997 rate restructuring case, Docket No. 970115-GU, to complete its Minimum Filing Requirements.

By ORDER of Chairman E. Leon Jacobs, Jr., as Prehearing Officer, this 29th day of January, 2001.



E. LEON JACOBS, JR.
Chairman and Prehearing Officer

(S E A L)

DDH

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

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.

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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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.