

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revised tariffs and updated charges for underground residential and commercial distribution service by Tampa Electric Company.

DOCKET NO. 021118-EI
ORDER NO. PSC-03-0027-PCO-EI
ISSUED: January 6, 2003

The following Commissioners participated in the disposition of this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
MICHAEL A. PALECKI
RUDOLPH "RUDY" BRADLEY

ORDER SUSPENDING TARIFF FILING

BY THE COMMISSION:

On November 1, 2002, Tampa Electric Company (TECO) filed a Petition for Approval of Revised Tariffs and Updated Charges for Underground Residential and Commercial Distribution Service (Petition). With respect to TECO's Petition, our staff has recommended that the tariffs be suspended to allow sufficient time to review the petition.

Pursuant to Section 366.06(3), Florida Statutes, we may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such increase, within 60 days, a reason or written statement of good cause for doing so. We find that the reason stated above is good cause, consistent with the requirement of Section 366.06(3), Florida Statutes.

We have jurisdiction over the subject matter pursuant to Sections 366.04, 366.05, and 366.06, Florida Statutes.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed tariffs and charges associated with the installation of underground residential and commercial distribution facilities in Tampa Electric Company's Petition are hereby suspended. It is further

ORDERED that this docket shall remain open pending a final decision on the Petition.

By ORDER of the Florida Public Service Commission this 6th day of January, 2003.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

JSB

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 the Commission Clerk and Administrative Services, 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.