

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition to initiate rulemaking to amend Rule 25-6.044(4), F.A.C., Continuity of Service, by City of Madeira Beach, Florida. | DOCKET NO. 050438-EU
ORDER NO. PSC-05-0954-FOF-EU
ISSUED: October 6, 2005

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
LISA POLAK EDGAR

ORDER DISCONTINUING RULEMAKING

BY THE COMMISSION:

On June 24, 2005, the City of Madiera Beach filed a Petition to Initiate Rulemaking with this agency. The Petition proposed a modification to Rule 25-6.044(4), Florida Administrative Code, which deals with planned interruptions to electric service. At the July 19, 2005 Agenda Conference, we voted to grant the Petition in part by holding a rule development workshop on the proposed modification. A workshop was scheduled for September 29, 2005, but on August 18, 2005, the City withdrew its Petition, so a workshop was not held. In view of the City's withdrawal of its Petition, and finding no further reason to consider amending the rule as was proposed, we hereby discontinue rulemaking activities in this docket.

It is therefore

ORDERED by the Florida Public Service Commission that rulemaking activities in this docket shall be discontinued for the reasons provided herein. It is further

ORDERED that this docket shall be closed.

DOCUMENT NUMBER-DATE

09556 OCT-6 05

FPSO-DOCUMENTS

By ORDER of the Florida Public Service Commission this 6th day of October, 2005.

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

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

MKS

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.

Any party adversely affected by the Commission's final action in this matter may request:

- 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or
- 2) 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 and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services 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 after the issuance of this order, 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.