

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for approval of revised
underground residential distribution tariffs, by
Progress Energy Florida, Inc. DOCKET NO. 060017-EI
ORDER NO. PSC-06-0206-PCO-EI
ISSUED: March 14, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

ORDER SUSPENDING PROPOSED TARIFF REVISIONS

BY THE COMMISSION:

Rule 25-6.078, Florida Administrative Code, requires investor-owned electric utilities to file updated underground residential distribution charges for our approval at least every three years, or sooner if a utility's underground cost differential for the standard low-density subdivision varies from the last approved charge by 10 percent or more. PEF's current URD charges were approved in Order No. PSC-04-0519-TRF-EI, issued on May 24, 2004, in Docket No. 031122-EI, In Re: Petition for approval of revised underground residential distribution tariff by Progress Energy Florida, Inc. On January 6, 2006, Progress Energy Florida, Inc. (PEF) filed a petition for revisions to its Underground Residential Distribution (URD) tariffs and associated charges to comply with the 3-year filing requirement of the rule. We have jurisdiction pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes.

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 a reason or written statement of good cause for doing so within 60 days. We require additional time to review the proposed revisions and make an informed decision about them. For this reason we will suspend operation of the revisions pending that review.

It is therefore

ORDERED by the Florida Public Service Commission that Progress Energy Florida, Inc.'s proposed revisions to its underground residential distribution tariffs are suspended pending further review. It is further

ORDERED that this docket shall remain open.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 14th day of March, 2006.

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)

MCB

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.

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; 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 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.