

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request to revise 2010 overhead/underground residential differential cost data by Gulf Power Company. | DOCKET NO. 100165-EI
ORDER NO. PSC-10-0354-PCO-EI
ISSUED: June 4, 2010

The following Commissioners participated in the disposition of this matter:

NANCY ARGENZIANO, Chairman
LISA POLAK EDGAR
NATHAN A. SKOP
DAVID E. KLEMENT
BEN A. "STEVE" STEVENS III

ORDER SUSPENDING TARIFFS

BY THE COMMISSION:

Background

On April 1, 2010, Gulf Power Company (Gulf) filed a petition for Commission approval of revisions to its Underground Residential Distribution (URD) Tariff Sheet Nos. 4.25, 4.26, 4.26.1, and 4.26.2, and their associated charges. The URD tariffs apply to new residential developments and represent the additional costs Gulf incurs to provide underground distribution service in place of overhead service.

Rule 25-6.078(2), Florida Administrative Code (F.A.C.), requires investor-owned electric utilities (IOUs) to file updated URD 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. The rule requires IOUs to file on or before October 15 of each year a schedule showing the increase or decrease in the differential for the standard low-density subdivision. On October 15, 2009, Gulf notified us, pursuant to Rule 25-6.078(2), F.A.C., that its underground cost differential for the standard low-density subdivision varies from the last approved differential by 16 percent. Gulf's current URD charges were approved in 2009.¹ To comply with the 10 percent filing requirement of the rule, Gulf filed the petition.

We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

¹ See Order No. PSC-09-0815-TRF-EI, issued December 10, 2009, in Docket No. 090173, In Re: Request to revise underground residential differential rates by Gulf Power Company.

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FPSC-COMMISSION CLERK

Suspension of Tariffs

Pursuant to Section 366.06(3), F.S., 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 find that our staff needs more time to review the petition and gather all pertinent information in order to provide us with an informed recommendation on these tariffs, and that this is good cause for suspending the tariffs. Therefore, the proposed tariffs shall be suspended.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Gulf Power Company's proposed Underground Residential Distribution Tariffs and their associated charges shall be suspended. It is further

ORDERED that this docket shall remain open pending our final decision on the proposed tariff revisions.

By ORDER of the Florida Public Service Commission this 4th day of June, 2010.



ANN COLE
Commission Clerk

(S E A L)

RRJ

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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.