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January 22, 1990

BY HAND-DELIVERY

Mr. Steve C. Tribble, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32301

Re: Docket No. 891203-GU

Dear Mr. Tribble:

Enclosed for filing on behalf of Tallahassee Municipal Gas System in the above-referenced docket are the original and 15 copies of its Motion to Intervene.

By copy of this letter, this document has been furnished to the party on the attached certificate of service.

Very truly yours,

Cheryl Stuart Jr
Wade L. Hopping

- ACK
- AFA
- APP 1 w/m
- CAF
- CMU
- CTR
- EAG
- LEG
- LIN 6
- OPC 1
- RCH 1
- SEC 1 /lsd
- WAS Enclosures
- OTH adm/Sawell

cc: (w/enclosure)
James D. Beasley, Esq.

RECEIVED & FILED

18
FPSC BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
00664 JAN 22 1990
FPSC-RECORDS/REPORTING

BEFORE THE PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rule) Docket No. 891203-GU
25-7.0131, F.A.C., Regulatory)
Assessment Fee for Gas Utilities,) Filed: January 22, 1990
Municipals and Districts)
_____)

MOTION TO INTERVENE BY
TALLAHASSEE MUNICIPAL GAS SYSTEM

TALLAHASSEE MUNICIPAL GAS SYSTEM, (hereinafter "Petitioner" or "Tallahassee"), by and through undersigned counsel, and pursuant to Rule 25-22.039, F.A.C., hereby moves to intervene in the above-captioned proceeding. In support of this request, Petitioner states:

1. Petitioner is a municipally owned and operated gas utility providing natural gas service to customers in and about Leon County, Florida. Its full name and address are:

Tallahassee Municipal Gas System
Department of Gas Utility
2602 Jackson Bluff Road
Tallahassee, FL 32304

2. Tallahassee's representatives for purposes of receiving notices, orders, and other communications in this docket are:

Wade L. Hopping
Cheryl G. Stuart
Hopping Boyd Green & Sams
Post Office Box 6526
Tallahassee, FL 32314

with a copy to:

Samuel Davis, Jr.
Director, Department of Gas Utility
2602 Jackson Bluff Road
Tallahassee, FL 32304

DOCUMENT NUMBER-DATE

00664 JAN 22 1990

FPSC-RECORDS/REPORTING

3. Petitioner's interests are substantially affected by the Commission's proposed rule which would impose a regulatory assessment fee of one-fourth of one percent of gross operating revenue on municipal and special district providers of natural gas, and three-eighths of one percent of gross operating revenue on investor-owned gas utilities. Petitioner is a municipal gas utility that would be subject to this new fee.

5. Petitioner believes the proposed rule is arbitrary in that it would generate revenues in excess of those needed by the Commission to cover the appropriate costs of regulation, and lacks any verifiable explanation of the methodology used to allocate costs. Petitioner therefore opposes the Commission's proposal to amend Rule 25-7.0131 to impose the fee.

WHEREFORE, Petitioner respectfully requests that the Commission grant this motion to intervene in order for it to participate in the hearing scheduled for Monday, January 29, 1990.

RESPECTFULLY SUBMITTED this 22nd day of January, 1990.

HOPPING BOYD GREEN & SAMS

By: 

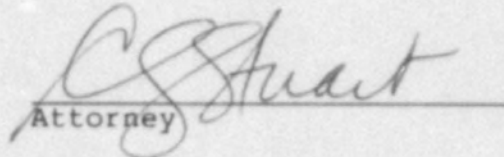
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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion to Intervene was sent to the following by U.S. Mail, this 22nd day of January, 1990:

James D. Beasley, Esq.
Attorney for City Gas Company
Ausley McMullen McGehee
Carothers & Proctor
227 South Calhoun Street
Tallahassee, FL 32301


Attorney