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May 14, 1990

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Honorable Steve Tribble, Director
Division of Records and Reporting
Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850

900476-EU

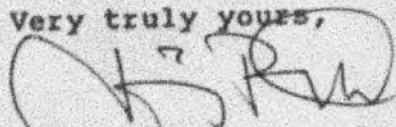
Re: Territorial Dispute Between the Complainant, SUWANNEE
VALLEY ELECTRIC COOPERATIVE, INC., and the Respondent,
FLORIDA POWER & LIGHT COMPANY

Dear Sir:

Enclosed are the original and 15 copies of Petitioner's,
SUWANNEE VALLEY ELECTRIC COOPERATIVE, Petition to Resolve
Territorial Dispute by invoking the jurisdiction of the Public
Service Commission. Please accept the same for filing and advise
me at your earliest convenience of the docket number assigned to
this proceeding.

Should you have any questions regarding the enclosed, please
do not hesitate to contact me. Your courtesies and cooperation
are greatly appreciated.

Very truly yours,


James W. Prevatt, Jr.

JWP, JR/hat

Enclosures

RECEIVED & FILED


FIRST BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

04199 MAY 15 1990

F-5C-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition of SUWANNEE VALLEY) DOCKET NO. _____
ELECTRIC COOPERATIVE, INC. to resolve)
a territorial dispute with FLORIDA)
POWER & LIGHT COMPANY)
(Huntsville Grocery Store).)
_____)

PETITION TO RESOLVE TERRITORIAL DISPUTE

The Petitioner, SUWANNEE VALLEY ELECTRIC COOPERATIVE, INC., commences this proceeding against the Respondent, FLORIDA POWER & LIGHT COMPANY, to resolve a territorial dispute and asserts as follows:

1. The Petitioner, SUWANNEE VALLEY ELECTRIC COOPERATIVE, INC., (hereinafter "SVEC") is a rural electric cooperative, organized and existing pursuant to the provisions of Section 425.01, et seq., Florida Statutes.

2. The Respondent, FLORIDA POWER & LIGHT COMPANY, (hereinafter "FPL") is a public utility as defined by Section 366.02(1), Florida Statutes.

3. The Florida Public Service Commission has jurisdiction of this proceeding pursuant to Section 366.04(2)(e), Florida Statutes, which provides that the Commission has the jurisdiction to resolve any territorial dispute involving service areas between and among rural electric cooperatives, municipal electric utilities and other electric utilities under its jurisdiction.

4. The material facts underlying this territorial dispute are as follows:

a. On or about November 3, 1989, FPL
constructed utility poles, transmission line and a

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transformer to service a rural grocery store on County Road 250 in rural Columbia County, Florida known as the Huntsville General Store.

b. The surrounding area is a rural area with a low degree of urbanization. The Huntsville General Store and the surrounding area has traditionally been serviced by SVEC.

c. Prior to November 3, 1989, SVEC provided service to the Huntsville General Store. The service customer, Lee A. Tomson was delinquent in payment for past due charges for electric service and SVEC temporarily halted service pending payment for past service rendered. On or about Friday, November 3, 1989, someone severed the service wire connection and removed the weatherhead and meter SVEC had previously attached to the Huntsville General Store. On or about Friday, November 3, 1989, FPL connected their service to the Huntsville General Store. On Saturday afternoon, November 4, 1990 SVEC received a call to its service center that its service line had been severed from the Huntsville General Store and was hanging on the ground. SVEC immediately dispatched a service crew to the site. Upon arrival at the store, the service crew was handed the meter that had been detached from the building by someone coming from inside the building.

d. FPL's improper encroachment upon the service area previously established by SVEC is an uneconomic

duplication of electric service. SVEC had existing service to the retail customer. FPL had to cross the distribution line of SVEC to provide service to the retail customer.

e. Attached hereto as Exhibit #1 is a diagram depicting the location of the Huntsville General Store, the transformer and service line of SVEC that were previously in place and the recent construction by FPL crossing over SVEC line and encroaching on SVEC territory.

5. SVEC should be directed to serve the disputed area and FPL should be directed to dismantle and remove the utility poles, distribution line and transformer presently encroaching upon the territory of SVEC.

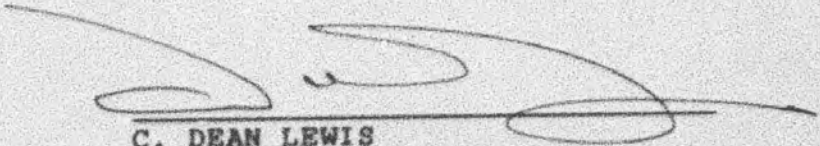
WHEREFORE, the Complainant, SUWANNEE VALLEY ELECTRIC COOPERATIVE, prays that this Commission will take jurisdiction of the parties and subject matter hereof and enter its order directing the Respondent, FLORIDA POWER & LIGHT COMPANY, to cease its retail service to the Huntsville General Store and further direct FPL to dismantle its duplicative facilities.

CERTIFICATE OF SERVICE

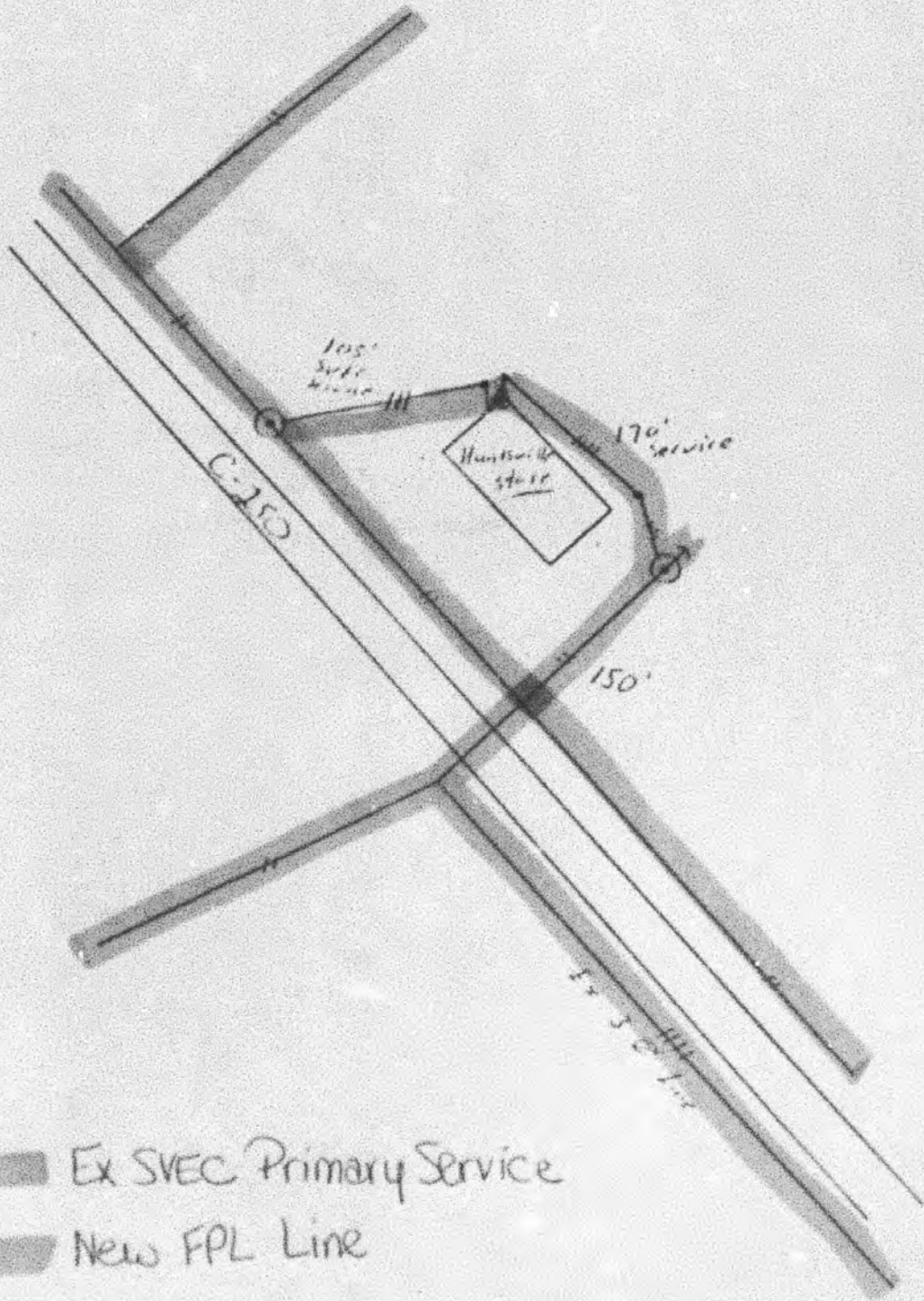
I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by United States Mail, postage prepaid, to MATTHEW CHILDS, Esquire, Steel, Hector & Davis, 215 South Magnolia Street, Suite 601, Tallahassee, Florida 32301 and

DAVID G. COBB, Post Office Box 1885, Lake City, Florida 32056 on
May 15, 1990.

AIRTH, SELLERS, LEWIS & PREVATT



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█ Ex SVEC Primary Service

█ New FPL Line