

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Tampa Electric)	DOCKET NO. 891303-EI
Company for a one-year extension of its)	ORDER NO. 24036
Supplemental Service Rider for)	ISSUED: 1-28-91
Interruptible Service.)	
)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 BETTY EASLEY
 GERALD L. GUNTER
 FRANK S. MESSERSMITH
 MICHAEL McK. WILSON

ORDER ON ONE YEAR EXTENSION
OF SUPPLEMENTAL SERVICE RIDER TARIFF

BY THE COMMISSION:

In Order No. 22467 we approved a one year extension of Tampa Electric Company's (TECO) supplemental service rider tariff (Attachment 1). An appeal was thereafter taken by the Office of Public Counsel (OPC) contesting our tariff approval procedures.

In Citizens of the State of Florida v. Wilson, 568 So.2d 1275 (Fla. 1990) the Supreme Court of Florida affirmed our Order rejecting OPC's claim that we erroneously permitted the tariff to be extended without providing the opportunity for a hearing. However, in the predecessor case of Citizens of the State of Florida v. Wilson, 567 So.2d 889 (Fla. 1990), the Florida Supreme Court had ruled that such rates approved under our tariff approval procedures are interim in nature, and therefore we are obligated to afford interested parties the opportunity for a hearing before the entry of a final order with respect to such rates.

Accordingly, it is

ORDERED by the Florida Public Service Commission that the one year extension of Tampa Electric Company's supplemental service rider tariff for interruptible service, (revised sheets 6.510, 6.511, 7.505 and 7.506) submitted by Tampa Electric Company on January 3, 1990 is hereby reapproved. It is further

DOCUMENT NUMBER-DATE

00855 JAN 28 1991

PSC-RECORDS/REPORTING

ORDER NO. 24036
DOCKET NO. 891303-EI
PAGE 2

ORDERED that this Order shall become final and this docket shall be closed unless an appropriate petition for formal proceeding is received by the Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date indicated in the Notice of Further Proceedings or Judicial Review.

By Order of the Florida Public Service Commission, this
28th day of JANUARY, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

MAP:bmi
891303.bmi

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule

ORDER NO. 24036
DOCKET NO. 891303-EI
PAGE 3

25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on February 18, 1991.

In the absence of such a petition, this Order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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 of the date this Order becomes final, 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.

ORDER NO. 24036
 DOCKET NO. 891303-EI
 PAGE 4

TAMPA ELECTRIC COMPANY

FIRST REVISED SHEET NO. 6.510
 CANCELS ORIGINAL SHEET NO. 6.510

SUPPLEMENTAL SERVICE RIDER - INTERRUPTIBLE

SCHEDULE: SSI

AVAILABLE: Entire Service Area. The rider will be available through December 31, 1990 at which time the rider will be reviewed for possible continuation beyond December 31, 1990 subject to Florida Public Service Commission approval.

APPLICABLE: To any interruptible account with 12 months of actual continuous energy billing history on the Company's interruptible service (IS-1, IST-1, SBI-1, IS-3, IST-3 or SBI-3) rates who signs a Tariff Agreement for Supplemental Service - Interruptible. Resale not permitted.

CHARACTER OF SERVICE: This rider is offered in conjunction with the rates, terms, and conditions of the tariff the customer is billed under for regular service and only affects the total amount due in the event of charges/credits incurred for supplemental service.

MONTHLY CHARGES/CREDITS:

Additional Customer Charge:
 \$200.00 per month

Fuel Credit:

In months where metered KWH readings produce KWH billings which exceed the billing energy threshold and where monthly average fuel cost exceeds the monthly marginal fuel cost, a credit equal to 80% of the difference between average fuel cost and marginal fuel cost will be applied to the KWH in excess of the billing energy threshold. In months where monthly marginal fuel cost exceeds monthly average fuel cost, a debit equal to 80% of the difference between marginal fuel cost and average fuel cost will be applied to KWH in excess of the billing energy threshold. Adjustments to the fuel charge will be made in the following billing period.

Billing Energy Threshold:

The Billing Energy Threshold is set at the time of the customer's signing of the Tariff Agreement for Supplemental Service - Interruptible and is defined as the average of the three highest energy billing periods in the twelve (12) month period immediately prior to the month of application for the SSI schedule. It is effective the next billing period following the application month.

Continued to Sheet No. 6.511

ORDER NO. 24036
DOCKET NO..891303-EI
PAGE 5

TAMPA ELECTRIC COMPANY

FIRST REVISED SHEET NO. 6.511
CANCELS ORIGINAL SHEET NO. 6.511

Continued from Sheet No. 6.510

TERMS AND SPECIAL CONDITIONS:

1. Customers may elect to discontinue the application of this rider at any time, but may not sign a new Tariff Agreement for Supplemental Service - Interruptible to reinstate the rider until 12 months have elapsed from the time the rider is discontinued.
2. For the purpose of calculating the fuel credit, the following definitions are applicable:
 - A. The term "average fuel cost" is defined as the billing period fuel expenses divided by the energy output to line (adjusted upward for the interruptible class to reflect delivery voltage). The average fuel cost is calculated monthly for the fuel filing and is found on Schedule A1, line 20, under the "Actual" cents/KWH column, of the exhibits submitted to satisfy the requirements of FPSC Rule 25-17.15, F.A.C.
 - B. The term "marginal fuel cost" is defined as the billing period simple average of all the COG-1 hourly fuel costs based on the Company's actual hourly avoided fuel costs, calculated by the Company in accordance with FPSC Rule 25-17.0825, F.A.C. (adjusted upward for the interruptible class to reflect delivery voltage).
3. When the customer has multiple, separately metered delivery points, the transfer of existing load from an existing account to the Supplemental Service - Interruptible account will be allowed only when the transferred load can be accurately identified to enable the establishment of a proper billing energy threshold amount.

ORDER NO. 24036
DOCKET NO. 891303-EI
PAGE 6

TAMPA ELECTRIC COMPANY

FIRST REVISED SHEET NO. 7.505
CANCELS ORIGINAL SHEET NO. 7.505

TARIFF AGREEMENT FOR SUPPLEMENTAL SERVICE RIDER - INTERRUPTIBLE

This agreement is made and entered into this _____ day of _____, 19____, by and between _____

_____ (hereinafter called the Customer) and Tampa Electric Company, a corporation, organized and existing under the laws of the State of Florida, (hereinafter called the Company).

WITNESSETH:

WHEREAS, Supplemental Service - Interruptible is supplied under rider to rate schedules IS-1, IST-1, SBI-1, IS-3, IST-3, and SBI-3 for customers whose energy consumption exceeds the Energy Use Threshold as defined in the Supplemental Service Rider - Interruptible tariff.

WHEREAS, a kilowatt hour Energy Use Threshold of _____ KWH was established by the customer during the most recent 12 month period.

NOW, THEREFORE, in consideration of the mutual covenants expressed herein, the Company and the Customer agree as follows:

1. To abide by the terms and conditions of the Supplemental Service Rider - Interruptible, a copy of which is attached hereto as Exhibit "A" and made a part hereof.
2. The rider will be available through December 31, 1990 at which time the rider will be reviewed for possible continuation beyond December 31, 1990 subject to Florida Public Service Commission approval.
3. The Customer may elect to cancel the application of this rider at any time by giving 30 days notice, but may not sign a new Tariff Agreement for Supplemental Service Rider-Interruptible to reinstate the rider until 12 months have elapsed from the time the rider was initially canceled.

DATE EFFECTIVE: January 1, 1990

ORDER NO. 24036
DOCKET NO. 891303-EI
PAGE 7

TAMPA ELECTRIC COMPANY

FIRST REVISED SHEET NO. 7.506
CANCELS ORIGINAL SHEET NO. 7.506

IN WITNESS WHEREOF, the Customer and the Company have executed this Agreement the day and the year first above written.

Witnesses:

(Customer)

by: _____

its _____

Attest: _____

Witnesses:

TAMPA ELECTRIC COMPANY

by: _____

its _____

Attest: _____