

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for a rate increase)	DOCKET NO. 900900-GU
by Miller Gas Company)	
)	ORDER NO. 24400
)	
)	ISSUED: 4-22-91

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 J. TERRY DEASON
 BETTY EASLEY
 GERALD L. GUNTER
 MICHAEL McK. WILSON

NOTICE OF PROPOSED AGENCY ACTIONORDER CLOSING DOCKET

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Miller Gas Company, an investor-owned gas utility which serves approximately 4,000 customers in Dade County, requested rate relief in this docket. The utility filed historical base year Minimum Filing Requirements (MFRs) in this docket and in Docket No. 900421-GU on December 27, 1990. In Order No. 24057, dated February 4, 1991, we accepted those data in lieu of the Modified Minimum Filing Requirements required in Docket No. 900421-GU. Miller's request for an extension of time to file complete MFRs in this docket was granted by Chairman Beard on February 14, 1991.

Complete MFRs were due on March 29, 1991, but were not filed because City Gas Company, an investor-owned utility serving approximately 80,000 customers in Dade County and other areas, purchased the assets of Miller Gas Company effective February 19, 1991. Because Miller Gas Company no longer exists as a regulated entity, the data filed by the utility in this docket no longer represent ongoing levels of investment or operating costs of the former Miller facilities. We anticipate no further actions in this docket and it should therefore be closed. Any further Commission action regarding City Gas Company's service to the former Miller customers can be taken in Docket No. 910220-GU.

DOCUMENT NUMBER-DATE

03820 APR 22 1991

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It is therefore

ORDERED that this docket be closed if no petition for formal proceeding is timely filed herein.

By ORDER of the Florida Public Service Commission, this 22nd
day of April, 1991.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

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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 action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), 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 May 13, 1991.

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In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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 and effective 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 effective date of this order, 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.