

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for modification ) DOCKET NO. 921233-GU  
to Rate Schedule CG and City ) ORDER NO. PSC-93-0158-FOF-GU  
Gate Gas Sales Agreement by ) ISSUED: 02/01/93  
Peoples Gas System, Inc. )  
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The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
THOMAS M. BEARD  
SUSAN F. CLARK  
JULIA JOHNSON  
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION

ORDER APPROVING REQUEST FOR MODIFICATION  
TO PEOPLES GAS SYSTEM, INC.'S RATE SCHEDULE CG  
AND CITY GATE GAS SALES AGREEMENT

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 Administration Code.

In Docket No. 920295-GU, Peoples Gas System, Inc. (PGS) requested that we approve its City Gate Service (CG) rate schedule and City Gate Sales Agreement (Agreement). By Order No. PSC-92-0474-FOF-GU, issued on June 9, 1992, we approved the CG rate schedule and the Agreement for use with the CG rate schedule. The approval of both the CG rate schedule and Agreement allowed PGS to take legal title of gas purchased by and for any transportation contract demand customer which uses 50 million therms or more annually.

However, PGS has only five customers which qualify for service under the CG rate schedule. Currently, other PGS transportation customers do not qualify for service under this rate schedule because they use less than 50 million therms annually.

On December 2, 1992, PGS filed a petition requesting that the 50 million therm restriction of the CG rate schedule be eliminated and the buy/sell arrangement included in the Agreement be made available to any PGS transportation customer. Based on the foregoing, we approve PGS' requested modification in its CG rate schedule and Agreement.

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Also, additional changes must be made to the Agreement to ensure that the agreement more correctly reflects the nature of the transactions contemplated and the rights and obligations of the parties. We have reviewed such changes and find them complete and satisfactory.

In consideration of the foregoing, it is,

ORDERED by the Florida Public Service Commission that Peoples Gas System, Inc.'s petition to modify its CG rate schedule and City Gate Sales Agreement, as discussed within the body of this Order, is hereby approved. It is further

ORDERED that this Order shall become final and this docket 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 1st day of February, 1993.

  
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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 February 22, 1993.

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 wastewater 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.