

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of SUWANNEE ) DOCKET NO. 940331-EU  
VALLEY ELECTRIC COOPERATIVE, ) ORDER NO. PSC-94-0660-PCO-EU  
INC., to resolve a territorial ) ISSUED: June 1, 1994  
dispute with FLORIDA POWER )  
CORPORATION. )  
\_\_\_\_\_ )

ORDER GRANTING JOINT MOTION FOR STAY OF PROCEEDINGS

BY THE COMMISSION:

On March 30, 1994, Suwannee Valley Electric Cooperative, Inc. (SVEC) filed a petition to resolve a territorial dispute between SVEC and Florida Power Corporation (FPC) regarding service to a retail customer in Lafayette County, Florida. On April 20, 1994, FPC filed its answer to the petition with affirmative defenses. Subsequently, on May 24, 1994, SVEC and FPC filed a Joint Motion For Stay and requested this Commission for entry of an Order staying any proceedings in the instant docket for a period of ninety days.

In support of this Motion For Stay, the parties state as follows:

1) Representatives of the parties have begun negotiations regarding development of a territorial agreement or agreements to define the parties respective service territories in Lafayette, Hamilton and Columbia Counties.

2) Successful resolution of a territorial agreement for Lafayette County will resolve the dispute which is the subject of this proceeding, without the need for Commission intervention.

3) The parties anticipate that, assuming agreement can be reached, ninety (90) days will be sufficient for negotiation, drafting and execution of a territorial agreement(s) which will then be submitted to the Commission for approval.

4) The parties do not currently contemplate a request for extension of a stay except in the event that such substantial progress may have been made toward resolution of these issues that the completion of the agreements is not in doubt, but additional administrative time is required to affect that completion.

This Commission regards resolution of territorial disputes by the parties to be in the best interest of the parties and the Commission. It avoids the expense of time and resources by the parties and the Commission in conducting a formal hearing.

DOCUMENT NUMBER-DATE

05328 JUN-1 1994

FPC REPORTING

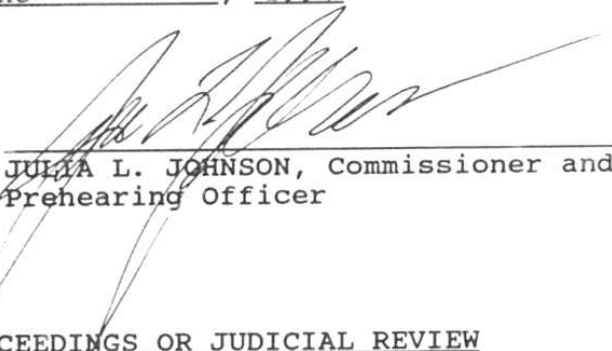
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Therefore, I find a stay of the proceedings for ninety days to permit the parties to reach a negotiated settlement is appropriate. However, to encourage the parties to reach a speedy resolution of this dispute, a new date for the hearing shall be set.

It is, therefore,

ORDERED by Commissioner Julia L. Johnson, as Prehearing Officer that the Joint Motion for Stay of these proceedings is granted for a period of ninety days from the date of the issuance of this Order.

By ORDER of Commissioner Julia L. Johnson, as Prehearing Officer, this 1st day of June, 1994.



JULIA L. JOHNSON, Commissioner and  
Prehearing Officer

( S E A L )  
SLE

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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary,

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procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.