

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for approval of ) DOCKET NO. 941285-EI  
revised lighting tariffs by ) ORDER NO. PSC-95-0204-FOF-EI  
Florida Power & Light Company. ) ISSUED: February 14, 1995  
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The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman  
J. TERRY DEASON  
JOE GARCIA  
JULIA L. JOHNSON  
DIANE K. KIESLING

ORDER APPROVING TARIFF REVISIONS

BY THE COMMISSION:

Florida Power & Light Company (FPL) proposed a tariff revision due to a change in its policy regarding repeated vandalism to street lighting fixtures. The increase in the level of vandalism in certain areas of FPL's service territory motivated FPL to change its policy.

Currently, FPL repairs vandalism damage to street lighting fixtures at no cost to the customer. Under the proposed tariff changes, FPL will continue to repair fixtures without cost to the customer upon the first occurrence of vandalism. Upon the second occurrence, the customer will have three options:

1. The customer can pay the cost of installing a Plexiglas shield to protect the fixture from further vandalism. The cost of the shield is \$120.00, plus the cost of installation and administrative costs. If the customer chooses to install the shield following the first occurrence of vandalism, FPL will charge only the \$120.00 cost of the shield. FPL can only install the shield on cobra head fixtures. If the fixture is of a different type, the customer must convert to a cobra head fixture to exercise the shield option.
2. The customer can have the unshielded fixture replaced. The customer will be required to pay the original installed cost of the fixture less any salvage value and accumulated depreciation, plus the cost of removal of the fixture.
3. The customer can discontinue service to that fixture. This is a reasonable policy, since street lighting is an optional service that can be obtained from sources other than the utility.

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ORDER NO. PSC-95-0204-FOF-EI  
DOCKET NO. 941285-EI  
PAGE 2

The new policy properly shifts the cost responsibility for repeated vandalism to the specific customers who are experiencing the problem. When FPL repeatedly replaces vandalized fixtures at no cost to the customer, all street lighting customers eventually pay higher rates. In addition, the offering of the optional shield should decrease the incidence of damage to fixtures due to vandalism.

We also reviewed the development of the costs associated with the shield, and found them to be reasonable. FPL will provide customers with notice of the cost associated with the second occurrence of vandalism and the customer's options regarding repairs.

It is, therefore,

ORDERED by the Florida Public Service Commission that the proposed tariff revisions to Florida Power & Light Company's street lighting rate schedules are approved, as discussed in the Order above. It is further

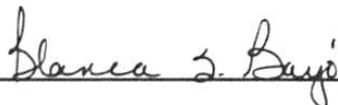
ORDERED that Florida Power & Light Company shall inform the customer of the three options for repairing vandalized street lighting, and the cost associated with each option. It is further

ORDERED that the tariff modifications will be effective February 7, 1995. It is further

ORDERED that if a protest is filed in accordance with the requirements set forth below, the tariff shall remain in effect, with any increase in revenues held subject to refund, pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirements set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 14th day of February, 1995.

  
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BLANCA S. BAYÓ, 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 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 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on March 7, 1995.

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 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 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.