



# Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

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DATE: SEPTEMBER 12, 1997  
TO: MR. JAMES BEASLEY, AUSLEY LAW FIRM  
MR. GARY LAWRENCE, CITY OF LAKELAND  
MARK MILLER, LANE, TROHN LAW FIRM  
MS. ANGELA LLEWELLYN, TAMPA ELECTRIC  
FROM: GRACE JAYE, STAFF COUNSEL <sup>MG</sup>  
DIVISION OF LEGAL SERVICES  
RE: DOCKET NO. ~~970999~~-EU

VIA-FACSIMILE

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Please note that an informal meeting between Commission Staff, Tampa Electric Company and the City of Lakeland has been scheduled at the following time and place:

Thursday, September 18, 1997  
3:00 p.m.  
Room 362  
2540 Shumard Oak Boulevard  
Gerald L. Gunter Building

The meeting will be limited to a discussion between Staff, Tampa Electric Company and the City of Lakeland regarding clarification of issues. Parties are welcome to be present and observe, but attendance is not required. To participate by telephone, call the following number at 3:00 p.m., Thursday, September 18, 1997: Non-suncom (850) 921-6545 or suncom (850) 291-6545.

Included, is a list of the issues to be discussed. If there are additional questions about the meeting, please call Grace Jaye at (850) 413-6191.

GJ/anr  
Attachment  
cc: Division of Electric and Gas (Bohrmann)

DOCUMENT NUMBER - DATE  
09375 SEP 15 97  
FPSC-RECORDS/REPORTING

### ISSUES

1. Is the interim service to be provided to the Tenoroc Fish and Game reserve expected to last more than one year?
2. If interim service is expected to last more than one year, would the parties consent to amending the petition in this Docket to ask specifically that the Commission approve interim service which the parties expect may last for more than a year.
3. Alternatively, if the answer to number 1 above is affirmative, would Lakeland and TECO consider amending their territorial agreement to permanently grant the area in question to Lakeland?

The Commission's precedents in PSC-94-1188-FOF-EU (9/28/94) (parties should request formal approval of interim service arrangements which last or are expected to last more than one year) and PSC-95-0668-FOF-EU (5/31/95) (formal approval required of parties to a territorial agreement if interim service is expected to last more than one year) would control this situation because the petition and the attached exhibits indicate that the interim service provided to the customer by Lakeland will last "until such time as Tampa Electric has facilities in place which will enable it to take over the service." The Commission's concern is that interim arrangements which do not end at a date certain or which have not been specifically approved by the Commission to last more than one year will result in service being "provided indefinitely by one utility in the other utility's service territory." (PSC-92-0415-FOF-EU (5/27/92). Staff requests that the parties consider one of the following alternatives: amending the pleading to set a date certain within one year for termination of interim service; if interim service is expected to last more than one year, amending the petition to so state; or, amending the territorial agreement to give the area in question to Lakeland.

These issues and concerns are not meant to artificially limit the discussion at the informal meeting. Parties and staff should feel free to raise any related issues during the course of the meeting.