

November 14, 1997

HAND-DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

971520-611

Re: Petition for Approval of Late Payment Charge

Dear Ms. Bayo:

Please find enclosed as original and 10 copies of City Gas Company's Petition for Approval of Late Payment Charge.

Sincerely,

CITY GAS COMPANY OF FLORIDA

Michael A. Palecki

Michael A. Palecki
Vice President of Regulatory Affairs

MAP/r

Encl.

RECEIVED & FILED
[Signature]
DIVISION OF RECORDS

DOCUMENT NUMBER-DATE

NUI Companies and Affiliates:

City Gas Company of Florida
Elizabethtown Gas
Elkton Gas
North Carolina Gas

NUI Capital Corp.
NUI Energy
NUI Energy Brokers
NUI Environmental Group

11819 NOV 18 5

FPSC-REG. : REPORTING

TIC Enterprises, LLC
Utility Business Services
Valley Cities Gas
Waverly Gas

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Approval of)
Late Payment Charge by City)
Gas Company of Florida)

Docket No.

Submitted for Filing:
November 18, 1997

PETITION FOR APPROVAL OF LATE PAYMENT CHARGE

City Gas Company of Florida, an operating division of NUI Corporation ("NUI/City Gas" or the "Company") petitions the Commission for approval of revisions to its Natural Gas Tariff to provide for a late payment charge. In support of its petition, the Company states:

1. NUI/City Gas proposes to apply a late payment charge to customers' past due balances, the purpose of which is to more properly collect the costs associated with unpaid balances on customer accounts from those customers who do not pay their bills on time. Such a late payment charge should also encourage prompt payment by the Company's customers, thereby helping the Company reduce expenses associated with unpaid balances.

2. The Company's approved Natural Gas Tariff does not currently include a late payment charge on past due balances. The Company's proposed late payment charge would apply when a customer fails to pay a bill by the "past due" date indicated on the bill. The proposed late payment charge (other than for accounts of federal, state or local governmental entities) is 1.5 percent of any unpaid prior months' billings. The excepted governmental entities are subject to

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REGISTRATION DIVISION

imposition of a late payment charge in accordance with Sections 215.422, Florida Statutes (state agencies), 218.70 - .79, Florida Statutes (local governmental agencies), and 31 U.S.C. 3901 - 3907 (federal governmental agencies), and NUI/City Gas would impose late payment charges on their accounts at a rate no greater than allowed, and in a manner permitted, by the applicable statutes.

3. The Commission has previously approved late payment charges similar to the charge proposed herein by NUI/City Gas, the most recent such approval having been by Commission Order No. PSC-96-0371-FOF-GU (Docket No. 960024-GU, In Re: Petition for approval of late payment charge by Peoples Gas System, Inc. See also PSC-951087-FOF-EI (Docket No. 950753-EI, In Re: Petition for approval of late payment charge and field collection charge by Florida Power Corporation).¹ Consistent with the prior actions of the Commission, NUI/City Gas requests the Commission's approval of the Company's late payment charge as set forth in the proposed revised tariff sheet attached to this petition as Exhibit A. A copy of the proposed revised sheet in legislative format is attached hereto as Exhibit B.

¹ See also: In Re: Review of Southern Bell Telephone and Telegraph Company's Late payment Charge, Docket No. 870456-TL, Order No. 17915 (July 27, 1987); In Re: Application of Vineyards Utility, Inc. for Water and Sewer Certificate in Collier County, Docket No. 870331-WS, Order No. 18622 (December 31, 1987); In Re: Tariff Proposed by Alltel Florida Inc. to Establish a Late Payment Charge of 1.5 Percent of Amounts Outstanding, etc., Docket No. 871048-TL, Order No. 18632 (January 1, 1988); In Re: Application by Sunray Utilities, Inc. for Water and Sewer Certificates in Nassau County, Docket No. 870649-WS, Order No. 20252 (November 3, 1988); and In Re: Tariff Proposed by Florida Power & Light Company, Docket No. 900836-EI, Order No. 23895 (December 18, 1990).

4. Upon the Commission's approval of the Company's proposed late payment charge, the Company will provide notice to its customers in a clearly worded bill stuffer, which will be submitted to the Commission's Division of Electric and Gas prior to implementation. After providing notice to customers, the Company will modify its monthly customer bills to reflect the applicable charge and the past due date by which the bills must be paid to avoid imposition of such charge.

WHEREFORE, City Gas Company of Florida respectfully requests that the Commission approve the late payment charge set forth in Exhibit A to this petition.

Respectfully submitted,



Michael A. Palecki
City Gas Company of Florida
955 East 25th Street
Hialeah, Florida 33013
Telephone: (305) 691-8710
Facsimile: (305) 694-9825

RULES AND REGULATIONS

6. **Connect Charge**

A charge of \$20.00 for residential service or \$45.00 for nonresidential service will be made on the customer's next bill when gas service is initiated, connected or turned-on

7. **Reconnection Charge**

A charge of \$20.00 for residential service or \$45.00 for nonresidential service will be made on the customer's next bill when gas service is reconnected after disconnection for nonpayment of bills.

8. **Late Payment Charge**

A bill shall be considered past due upon the expiration of twenty (20) days from the date of mailing or other delivery thereof by Company. The balance of all past due charges for services rendered are subject to a Late Payment Charge of 1.5%, except the accounts of federal, state, and local governmental entities, agencies, and instrumentalities. A Late Payment Charge shall be applied to the accounts of federal, state, and local governmental entities, agencies and instrumentalities at a rate no greater than allowed, and in a manner permitted by applicable law.

9. **Other Charges**

The following charges relating to customer accounts will apply:

Change of account	\$15.00
Bill collection in lieu of disconnection	\$15.00
Returned check charge, whichever is greater	\$15.00 or 5%
Copy of tariff	\$25.00

10. **Temporary Discontinuance of Supply**

The Company may temporarily shut off the supply of gas to the customer's premises after reasonable notice for the purpose of making necessary repairs or adjustments to mains or supply pipes, and reserves the right to shut off the supply of gas without notice in case of emergency.

11. **Extension of Facilities**

A. **Free Extensions of Mains and Services:** The maximum capital investment to be made by the Company for main and service facilities without cost to the customer shall be defined as the maximum allowable construction cost (MACC). The MACC shall equal six times the annual gas revenues estimated to be derived from the facilities, excluding the cost of gas. In estimating annual revenues, seasonal facilities such as swimming pool heaters and spa heaters shall not be included.

B. **Extensions of Mains and Services Above Free Limit:** When the cost of the extension required to provide service is greater than the free limit specified above, the Company may require a non-interest bearing advance in aid of construction (ATC) equal to the cost in excess of such free limit provided that:

RULES AND REGULATIONS

12. Transportation - Special Conditions

a. A Transportation Service Agreement accepted by the Company is a condition precedent for service under each applicable rate schedule.

b. Each prospective customer must submit a written application, in a form acceptable to the Company, prior to the initiation of any transportation service. Upon receipt of a completed application, and if the Company determines it is able to provide the service requested, the applicant and the Company will enter into a Transportation Service Agreement.

c. Each Customer must designate in the Transportation Service Agreement the Maximum Daily Contract Quantity (MDCQ) the Customer or its agent will nominate for delivery during the term of the agreement.

d. With respect to gas received by Company for transportation to Customer, Company bears no responsibility for any costs incurred up to the designated point of receipt on Company's system.

e. Service under each rate schedule is subject to annual volume review by the Company or anytime at the customer's request. If reclassification to another schedule is appropriate such classification will be prospective.

f. Company shall be entitled to retain at no cost to Company a percentage of the quantity of gas delivered by or for the account of Customer at each Receipt Point for transportation to Customer, as gas which shall be deemed to be an allowance for transportation shrinkage in the performance of service under each applicable rate schedule. Such percentage shall not be higher than 1.5% without prior approval of the Florida Public Service Commission. The Company shall have the right to adjust the percentage from time to time to reflect the actual operating experience of the Company and/or any change in the methodology used by Company to calculate the amount of gas deemed as transportation shrinkage. Upon request, Company shall furnish to Customer information to support any such adjustment to such percentage

g. Nomination and Scheduling of Receipts and Deliveries

Quantities nominated shall be reflected in either MMBTU or therms.

RULES AND REGULATIONS

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