

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for approval of
Landlord "Leave Service Active"
Agreement (Original Tariff
Sheets 7.57 and 7.58) by Gulf
Power Company.

DOCKET NO. 971292-EI
ORDER NO. PSC-97-1535-FOF-EI
ISSUED: December 8, 1997

The following Commissioners participated in the disposition of
this matter:

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

ORDER APPROVING LANDLORD "LEAVE SERVICE ACTIVE" AGREEMENT

BY THE COMMISSION:

On October 6, 1997, Gulf Power Company (Gulf) filed a petition to add an agreement to its standard contract forms that will provide for ongoing transfer of service for customers, typically landlords, when service is not scheduled in a tenant's name at a specified address. When a rental unit at a specified address is scheduled for disconnection of service by the current tenant, Gulf will read the meter on the scheduled date and transfer service to the landlord's account. When a new tenant schedules service, Gulf will read the meter again and transfer service to the new tenant's account. Florida Power Corporation currently offers a similar agreement in its Tariff Sheet Nos. 7.070 and 7.071.

The proposed standard contract will allow landlords to schedule the transfer of electric service on an ongoing basis at a specified address without scheduling a reconnection of service each time a tenant vacates a rental property. Also, Gulf will not have to physically disconnect electric service from the rental property, but will merely transfer billing from one account to another. This will save both Gulf and its customers time and effort.

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The proposed standard contract does not preclude Gulf from disconnecting service following proper notice in the event the customer of record fails to timely remit payment, fraudulently obtains electricity, or otherwise violates any applicable rules or laws which justify disconnection. Gulf has assured us that if service is disconnected to a tenant for one of the above reasons, service will not automatically be transferred to the landlord.

The Landlord "Leave Service Active" Agreement will provide a convenience to both Gulf and customers who enter into the agreement. In addition, the agreement will not affect rates of service to Gulf's general body of ratepayers. As such, we order that the proposed additions and changes be approved. We order that the proposed "Leave Service Active" Agreement should become effective on November 18, 1997.

It is therefore

ORDERED that Gulf Power Company's petition to add the Landlord "Leave Service Active" Agreement to its standard contract forms is granted. It is further

ORDERED that these proposed changes are effective November 18, 1997. It is further

ORDERED that this docket shall be closed if no protest is filed within 21 days of the issuance of this Order. If a protest is filed within 21 days of the issuance of this Order, the tariff should remain in effect pending resolution of the protest. If no protest is filed, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 8th day of December, 1997.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)
GAJ

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 29, 1997.

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.