

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

DATE: MAY 7, 1998 MAY - 5 1998
3:50
FPSC - Records/Reporting

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYÓ)

FROM: DIVISION OF LEGAL SERVICES (ELIAS, JAYE) *RUE*
DIVISION OF ELECTRIC AND GAS (BASS, BREMAN, BOHRMANN) *PLT*

RE: DOCKET NO. 970512-EU - PETITION TO RESOLVE TERRITORIAL DISPUTE WITH CLAY ELECTRIC COOPERATIVE, INC. IN BAKER COUNTY BY FLORIDA POWER & LIGHT COMPANY.

AGENDA: 05/19/98 - REGULAR AGENDA - POST HEARING DECISION - PARTICIPATION IS LIMITED TO COMMISSIONERS AND STAFF

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: COMMISSION PANEL (CLARK AND GARCIA)

FILE NAME AND LOCATION: S:\PSC\LEG\WP\970512-3.RCM

CASE BACKGROUND

Pursuant to Section 366.04(2)(e), Florida Statutes, and Rules 25-6.044(1) and 25-036(4)(b), Florida Administrative Code, Florida Power and Light Company (FPL) filed a petition on April 29, 1997, to resolve a territorial dispute between FPL and Clay Electric Cooperative, Inc. (Clay) in Baker County. FPL alleged that both FPL and Clay currently provided retail electric service to customers within an area of Baker County where River City Plastics (RCP) was constructing a manufacturing facility. Pursuant to Order No. PSC-97-0178-FOF-EU, issued January 28, 1998, FPL was awarded service to River City Plastics (RCP) and the surrounding industrial park in Baker County. The Final Order required transfer of service from Clay to FPL within four weeks of the date of the issuance of the Final Order. On April 29, 1998, FPL filed a Motion for Extension of Time for Transfer of Service. FPL's Motion states that Clay Electric Cooperative, Inc., does not oppose the Motion.

DOCUMENT NUMBER-DATE

05041 MAY-58

FPSC-RECORDS/REPORTING

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant FPL's Motion for Extension of Time for Transfer of Service?

RECOMMENDATION: Yes. The Commission should grant FPL's Motion for Extension of Time for Transfer of Service. Granting FPL's Motion will allow Clay enough time to install the necessary voltage regulators and additional transformers to accommodate FPL's primary electric service delivered to the primary metering point.

STAFF ANALYSIS: Following the Commission's rendering its Final Order in this docket, RCP informed FPL that it intended to continue to use Clay's transformers and other related facilities behind the primary metering point under an existing leasing arrangement with Clay. This decision by the customer required Clay to purchase voltage regulators and additional transformers in order to accommodate FPL's primary electric service delivered to the primary metering point. To date, Clay has not installed this equipment. Clay anticipates that the equipment will be delivered and installed by May 18, 1998. FPL asserts that it will be able to bring primary electric service to RCP as required by Order No. PSC-97-0178-FOF-EU, issued January 28, 1998, within five days of Clay's installation of compatible facilities (transformers and/or regulators) and removal of existing overhead primary service to RCP.

Staff recommends that the Commission grant FPL's Motion for Extension of Time for Transfer of Service. FPL's Motion is unopposed by Clay or RCP and, given the explanation above, FPL's Motion appears to be reasonable. Granting FPL's Motion will allow Clay enough time to install the necessary voltage regulators and additional transformers to accommodate FPL's primary electric service delivered to the primary metering point.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. This docket should remain open to allow the Commission to dispose of pending issues relating to the territorial boundary drawn by the Final Order and to monitor the transfer of retail electric service from Clay to FPL.

STAFF ANALYSIS: This docket should remain open to allow the Commission to dispose of pending issues relating to the territorial boundary drawn by the Final Order and to monitor the transfer of retail electric service from Clay to FPL.