

ORIGINAL

P O Box 3395
West Palm Beach
FL 32399-0850

February 9, 2000

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

000165-FU


Re: Petition for Approval of Late Payment Charges

Dear Ms Bayo:

We are enclosing the original and 4 copies of our Petition for Approval of Late Payment Charges.

Should you or Staff need any additional information, please contact me at (561) 838-1761.

Sincerely,



Darryl L. Troy
Vice President

Enc: Petition with Exhibits

- Cc w/enc:
- J. English - FPUC
 - J. Petty - FPUC
 - C. Stein - FPUC
 - C. Kummer, FPSC-Div of Electric Regulation
 - C. Bulecza-Banks, FPSC-Div of Natural Gas Regulation
 - J. Williams, FPSC-Policy Development/Industry Structure

DOCUMENT NUMBER-DATE
~~01008~~ FEB 10 8
FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of
Late Payment Charge by
Florida Public Utilities Company

Docket No. _____
Submitted for filing:
February 10, 2000

PETITION

Florida Public Utilities Company (FPU) hereby petitions this Commission for approval of revisions to its service charges tariffs, Schedules No. 22.1 (Electric), No. 22 (Gas), and No. 17.1 (Water), which would provide for a Late Payment Charge. In support of its petition, FPU states as follows:

Late Payment Charge

1. FPU proposes to apply a Late Payment Charge to customer past due balances. The purpose of the Late Payment Charge 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. In addition, a Late Payment Charge should encourage prompt payment, thereby helping FPU reduce expenses associated with unpaid balances.
2. FPU's present tariff does not include a Late Payment Charge on past due balances. The Late Payment Charge will apply when a customer fails to pay a bill by the "past due" date indicated on the customer's bill. The proposed Late Payment Charge for customers, except for accounts of federal, state and local government entities, is 1.5 percent of any unpaid prior months' billings. The above-referenced governmental entities are subject to the imposition of a late payment charge in accordance with Section 215.422, Florida Statutes (state agencies), Section 218.70 - .79, Florida Statutes (local governmental agencies), and 31 U.S.C. 3901-3907 (federal governmental agencies). Therefore, these

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01808 FEB 10 2000

FPSC-RECORDS/REPORTING

governmental agencies will be billed late payment charges at a rate no greater than allowed, and in a manner permitted, by applicable law.

3. In prior dockets, the Commission approved similar Late Payment Charges for other Florida utilities. See, In Re: Application of Vineyards Utility, Inc. for Water and Sewer Certificate in Collier County, Docket No. 870331-WS, Order No. 18622, issued December 31, 1987; In Re: Application by Sunray Utilities, Inc. for Water and Sewer Certificates in Nassau County, Docket No. 870649-WS, Order No. 20252, issued November 3, 1988; In Re: Tariff Proposed by Florida Power & Light Company, Docket No. 900836-EI, Order No. 23895, issued December 18, 1990, In Re: Petition for approval of late payment charge and field collection charge by Florida Power Corporation, Docket No. 950753-EI, Order No. PSC-95-1087-FOF-EI, issued August 31, 1995; In Re: Petition for Approval of Modifications to Tariff that Would Add Late Payment Charge to Customers Past Due Balance, (St. Joe Natural Gas), Docket No. 960657-GU, Order No. PSC-96-1000-FOF-WU, issued August 5, 1996; In Re: Petition by City Gas Company of Florida for Approval of Revisions to Natural Gas Tariff to Provide Late Payment Charge, Docket No. 971520-GU, Order No. PSC-98-0261-FOF-GU, issued February 9, 1998.
4. Consistent with the above referenced decisions, and to place costs associated with unpaid bills on those customers responsible for such costs, FPU requests approval of its proposed Late Payment Charge.

Proposed Tariff

5. FPU requests Commission approval of the proposed revised tariff sheets (Seventh Revised Sheets No. 22.1 – Electric, Eleventh Revised Sheet No. 22 and First Revised Sheet No. 22.1 – Gas, and Third Revised Sheet No. 17.1 – Water) containing the Late Payment Charge. Copies of the proposed revised tariff sheets accompany this Petition as Exhibit A. Copies of the proposed revised tariffs in legislative format are included as Exhibit B.

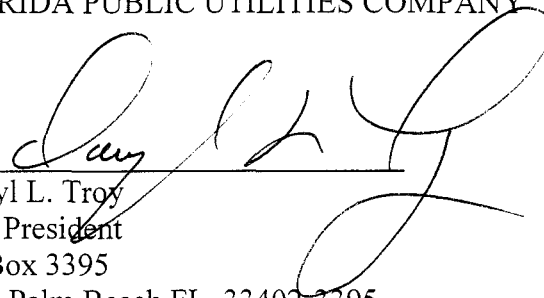
Implementation

6. Upon Commission approval of a Late Payment Charge, FPU will modify its monthly customer bill to reflect the applicable Late Payment Charge and the past due date by which the Late Payment Charge may be avoided.
7. FPU requests that the Commission approve this Petition and grant its staff the authority to administratively approve the effective date of the Revised Tariff Sheets to coincide with the time when FPU's billing system will have the capability to implement and administer the Late Payment Charge which is estimated to be approximately October, 2000.

WHEREFORE, Florida Public Utilities Company respectfully requests the Commission to approve the Late Payment Charge set forth in Exhibit A hereto and to authorize its staff to administratively approve the effective date of the revised service charge tariff upon proper notification from FPU.

Respectfully submitted.

FLORIDA PUBLIC UTILITIES COMPANY

By 
Darryl L. Troy
Vice President
PO Box 3395
West Palm Beach FL 33402-3395
(561) 838-1761

Florida Public Utilities Company
F.P.S.C. Electric Tariff
First Revised Volume No. 1

Seventh Revised Sheet No. 22.1
Cancels Sixth Revised Sheet No. 22.1

RULES AND REGULATIONS (Continued)

20. Returned Check Charge

The service charge for each worthless check shall be determined in accordance with Section 68.065, Florida Statutes. As of October 1, 1996, Section 68.065, F.S., provided for a service charge of \$25.00, if the face value does not exceed \$50.00, \$30.00, if the face value exceeds \$50.00 but does not exceed \$300.00 and \$40.00, or 5 percent of the face amount of the check, whichever is greater if the face value exceeds \$300.00. Such service charge shall be added to the customer's bill for electric service for each check dishonored by the bank upon which it is drawn. Termination of service shall not be made for failure to pay the returned check charge.

21. 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.

22. Measuring Customer Service

- (1) All energy sold to customer, except that sold under flat rate schedule, shall be measured by commercially acceptable measuring devices owned and maintained by the Company, except where it is impractical to meter loads, such as street lighting, temporary or special installations, in which case the consumption may be calculated, or billed on demand or connected load rate or as provided in Company's filed tariff.
- (2) When there is more than one meter at a location the metering equipment shall be so tagged or plainly marked as to indicate the circuit metered. Where similar types of meters record difference quantities, (kilowatt hours and relative power, for example), metering equipment shall be tagged or plainly marked to indicate what the meters are recording.
- (3) Meters which are not direct reading shall have the multiplier plainly marked on the meter. All charts taken from recording meters shall be marked with the date of the record, the meter number, customer, and chart multiplier. The register ratio shall be marked on all meter registers. The watt-hour constant for the meter itself shall be placed on all watt-hour meters.
- (4) Metering equipment shall not be set "fast" or "slow" to compensate for supply transformer or line losses.
- (5)
 - (a) Individual electric metering by Company shall be required for each separate occupancy unit of new commercial establishments, residential buildings, condominiums, cooperatives, marinas, and trailer, mobile home and recreational vehicle parks for which construction is commenced after January 1, 1981. This requirement shall apply whether or not the facility is engaged in a time-sharing plan. Individual electric meters shall not, however, be required:

(Continued on Sheet No. 22.2)

Issued by: J.T. English, President & CEO

Effective:

Florida Public Utilities Company
F.P.S.C. Gas Tariff
Third Revised Volume No. I

Eleventh Revised Sheet No. 22
Cancels Tenth Revised Sheet No. 22

RULES AND REGULATIONS (Continued)

18. Service Charges

	<u>LVS & LVTS Customers</u>	<u>All Other Customers</u>
A. Initial Establishment of Service	\$57.00	\$25.00
B. Reconnection after Disconnection	\$48.00	\$21.00
C. Change of Account (Read Meter Only)	\$12.00	\$12.00
D. Reconnection After Disconnection for Non-Pay	\$58.00	\$31.00
E. Bill Collection in Lieu of Disconnection for Non-Pay	\$ 9.00	\$ 9.00
F. Worthless Check Service Charge		

The service charge for each worthless check shall be determined in accordance with Section 68.065, Florida Statutes. As of October 1, 1996, Section 68.065, F.S., provided for a service charge of \$25.00, if the face value does not exceed \$50.00, \$30.00, if the face value exceeds \$50.00 does not exceed \$300.00 and \$40.00, or 5 percent of the face value exceeds \$300.00. Such service charge shall be added to the customer's bill for gas service for each check dishonored by the bank upon which it is drawn. Termination of service shall not be made for failure to pay the returned check charge.

G. 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 and instrumentalities at a rate no greater than allowed, and in a manner permitted by applicable law.

19. Measuring Customer Service

(1) All gas sold to customer shall be measured by commercially acceptable measuring devices owned and maintained by the Company, except where it is impractical to meter loads, such as street lighting, temporary or special installations, in which case the consumption may be calculated, or billed on a rate or as provided in Company's filed tariff.

(2)

(a) Individual gas metering by Company shall be required for each separate occupancy unit of new commercial establishments, residential buildings, condominiums, cooperatives, marinas, and trailer, mobile home and recreational vehicle parks for which construction is commenced after January 1, 1987. This requirement shall apply whether or not the facility is engaged in a time-sharing plan. Individual meters shall not, however, be required.

(Continued on Sheet No. 22.1)

Issued by: J.T. English, President & CEO

Effective:

Florida Public Utilities Company
F.P.S.C. Gas Tariff
Third Revised Volume No. I

First Revised Sheet No. 22.1
Cancels Original Sheet No. 22.1

RULES AND REGULATIONS (Continued)

1. In those portions of a commercial establishment where the floor space dimensions or physical configuration of the units are subject to alteration, as evidenced by non-structural element partition walls, unless Company determines that adequate provisions can be made to modify the metering to accurately reflect such alterations;
2. For gas used in central heating, central water heating, ventilating and air conditioning systems, or gas back up service to storage heating and cooling systems;
3. For gas used in specialized-use housing accommodations such as hospitals, nursing homes, living facilities located on the same premises as, and operated in conjunction with, a nursing home or other health care facility providing at least the same level and types of services as a nursing home, convalescent homes, facilities certified under Chapter 651, Florida Statutes, college dormitories, convents, sorority houses, fraternity houses, motels, hotels, and similar facilities. For separate, specially-designated areas for overnight occupancy at trailer, mobile home and recreational vehicle parks where permanent residency is not established and for marinas where living aboard is prohibited by ordinance, deed restriction, or other permanent means.
4. In such multiple occupancy units which would require the provision of individual gas service above the second story, unless specifically requested.

(b) For purposes of this Rule:

1. "Occupancy unit" means that portion of any commercial establishment, single and multi-unit residential building, or trailer, mobile home or recreational vehicle park, or marina which is set apart from the rest of such facility by clearly determinable boundaries as described in the rental, lease, or ownership agreement for such unit.
2. "Time-sharing plan" means any arrangement, plan, scheme, or similar device, whether by member ship, agreement, tenancy in common, sale, lease, deed, rental agreement, license, or right-to-use agreement or by any other means, whereby a purchaser, in exchange for a consideration, received a right to use accommodations or facilities, or both, for a specific period of time less than a full year during any given year, but not necessarily for consecutive years, and which extends for a period of more than three years.
3. The construction of a new commercial establishment, residential building, marina, or trailer, mobile home or recreational vehicle park shall be deemed to commence on the date when the building structure permit is issued.

Continued on Sheet No. 22.2

Issued by: J.T. English, President & CEO

Effective:

RULES AND REGULATIONS (Continued)

18. Miscellaneous Service Charges

A. Initial Connection

When service is initiated at a location where service did not exist previously

	<u>Charge</u>
Regular Business Hours	\$ 12.00
After Business Hours	\$ 12.00

B. Normal Reconnection

When service is transferred to a new customer at the same location or reconnection of service subsequent to a customer requested disconnection.

	<u>Charge</u>
Regular Business Hours	\$ 12.00
After Business Hours	\$ 12.00

C. Violation Reconnection

When service has been disconnected for cause including delinquency in bill payments.

	<u>Charge</u>
Regular Business Hours	\$ 12.00
After Business Hours	\$ 18.00
After Business Hours	\$ 18.00

D. Premises Visit Charge (in Lieu of Disconnection)

When Company's representative visits customer's premises for the purpose of discontinuing service for non-payment of a due and collectible bill and does not discontinue service because of customer pays the service representative or otherwise make satisfactory arrangements to pay the bill.

	<u>Charge</u>
Regular Business Hours	\$ 8.00

E. Late Payment Charge

A bill shall be considered past due upon the expiration of twenty (20) days from the date of mailing of 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.

Florida Public Utilities Company
F.P.S.C. Gas Tariff
Third Revised Volume No. I

First Revised Sheet No. 22.1
Cancels Original Sheet No. 22.1

RULES AND REGULATIONS (Continued)

1. In those portions of a commercial establishment where the floor space dimensions or physical configuration of the units are subject to alteration, as evidenced by non-structural element partition walls, unless Company determines that adequate provisions can be made to modify the metering to accurately reflect such alterations;
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3. For gas used in specialized-use housing accommodations such as hospitals, nursing homes, living facilities located on the same premises as, and operated in conjunction with, a nursing home or other health care facility providing at least the same level and types of services as a nursing home, convalescent homes, facilities certified under Chapter 651, Florida Statutes, college dormitories, convents, sorority houses, fraternity houses, motels, hotels, and similar facilities. For separate, specially-designated areas for overnight occupancy at trailer, mobile home and recreational vehicle parks where permanent residency is not established and for marinas where living aboard is prohibited by ordinance, deed restriction, or other permanent means.
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Continued on Sheet No. 22.2

Issued by: J.T. English F. C. Cressman, President & CEO

Effective: March 7, 1989

Florida Public Utilities Company
F.P.S.C. Gas Tariff
Third Revised Volume No. I

Eleventh Tenth Revised Sheet No. 22
Cancels Tenth Ninth Revised Sheet No. 22

RULES AND REGULATIONS (Continued)

18. Service Charges

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1. ~~In those portions of a commercial establishment where the floor space dimensions or physical configuration of the units are subject to alteration, as evidenced by non-structural element partition walls, unless Company determines that adequate provisions can be made to modify the metering to accurately reflect such alterations;~~

2. ~~For gas used in central heating, central water heating, ventilating and air conditioning systems, or gas back-up service to storage heating and cooling systems;~~

(Continued on Sheet No. 22.1)

Issued by: J.T. English ~~E. J. Patterson~~, President & CEO

Effective: ~~March 3, 1977~~

Florida Public Utilities Company
F.P.S.C. Electric Tariff
First Revised Volume No. 1

~~Seventh Sixth~~ Revised Sheet No. 22.1
Cancels ~~Sixth Fifth~~ Revised Sheet No. 22.1

RULES AND REGULATIONS (Continued)

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(Continued on Sheet No. 22.2)

RULES AND REGULATIONS (Continued)

18. Miscellaneous Service Charges

A. Initial Connection

When service is initiated at a location where service did not exist previously

	<u>Charge</u>
Regular Business Hours	\$ 12.00
After Business Hours	\$ 12.00

B. Normal Reconnection

When service is transferred to a new customer at the same location or reconnection of service subsequent to a customer requested disconnection.

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C. Violation Reconnection

When service has been disconnected for cause including delinquency in bill payments.

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D. Premises Visit Charge (in Lieu of Disconnection)

When Company's representative visits customer's premises for the purpose of discontinuing service for non-payment of a due and collectible bill and does not discontinue service because of customer pays the service representative or otherwise make satisfactory arrangements to pay the bill.

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E. Late Payment Charge

A bill shall be considered past due upon the expiration of twenty (20) days from the date of mailing of 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.