

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Florida Power
& Light Company for approval of
proposed revisions to
curtailable service tariff.

DOCKET NO. 000298-EI
ORDER NO. PSC-00-0891-PCO-EI
ISSUED: May 5, 2000

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.
LILA A. JABER

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

Florida Power & Light Company (FPL) has petitioned to revise its Curtailable Service Tariff. FPL's revised tariff includes force majeure provisions which provide an exception from the requirement that the customer curtail load for the duration of a curtailment period and exculpates such customers from the imposition of charges for non-compliance of curtailment demand under the tariff.

Pursuant to Section 366.06(3), Florida Statutes, the Commission may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such increase, within 60 days, a reason or written statement of good cause for doing so.

We find that the tariff should be suspended, allowing the opportunity to request more supporting data, and additional time to evaluate the petition.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the tariff shall be suspended, pending completion of further evaluation of the petition and new information. It is further

ORDERED that this docket shall remain open until the proposed tariff is approved or denied.

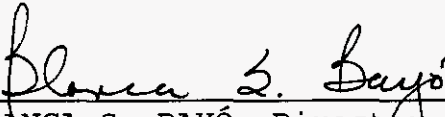
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FPSC-RECORDS/REPORTING

ORDER NO. PSC-00-0891-PCO-EI
DOCKET NO. 000298-EI
PAGE 2

By ORDER of the Florida Public Service Commission this 5th day
of May, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.