



# Public Service Commission

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RECORDS AND REPORTING

**DATE:** 11/20/2000

**TO:** DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

**FROM:** DIVISION OF COMPETITIVE SERVICES (S. BROWN, C. BULECZA, BANKS, W. MAKIN) *DEM*  
DIVISION OF LEGAL SERVICES (D. HART) *RUE*

**RE:** DOCKET NO. 000987-GU- AMENDMENTS TO FOUR GAS TRANSPORTATION AGREEMENTS BY CHESAPEAKE UTILITIES CORPORATION

**AGENDA:** 12/5/2000 - CONSENT AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE

**SPECIAL INSTRUCTIONS:** S:\PSC\CMP\WP\000987.RCM

Please place the following Amendments to four gas transportation agreements by Chesapeake on the consent agenda for approval.

1. DOCKET NO. 000987-GU - Petition for acknowledgment or approval of amendments to four gas transportation agreements by Florida Division of Chesapeake Utilities Corporation.

The Commission previously approved special contracts for four gas transportation customers. See Order No. PSC-94-0541-FOF-GU, issued May 10, 1994, as amended by Order No. PSC-94-0541A-FOF-GU, issued May 18, 1994; Order No. PSC-94-1169-FOF-GU, issued September 26, 1994; Order No. PSC-98-0455-FOF-GU, issued March 31, 1998, as amended by Order No. PSC-98-0455A-FOF-GU, issued April 3, 1998. The rates approved for each special contract included the Florida Gross Receipts Tax and the Commission's then-existing Regulatory Assessment Fee embedded in base rates. By Order No. PSC-98-1659-FOF-GU, issued December 9, 1998, the Commission adopted amendments to Rule 25-7.0131, Florida Administrative Code, which effectively increased the regulatory assessment fee applicable to the Florida Division of Chesapeake and its customers from .00375 to .005 of its gross operating revenues. Each of the approved special contracts included a provision allowing for adjustments to the rates if any federal,

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state, or municipal tax should be increased or decreased during the terms of the contracts. Chesapeake believes the previous orders granted sufficient authority to implement the pass-through of changes regarding the applicability of the Florida Gross Receipts Tax to gas transportation services. However, Chesapeake, in an abundance of caution, has applied for the Commission's acknowledgment and approval of such changes, which have been made by amendments to the special contracts.

This docket should be closed upon issuance of a consummating order unless a person whose substantial interests are affected by the Commission's decision files a protest within 21 days of the issuance of the proposed agency action order.