



# Public Service Commission

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**DATE:** MAY 17, 2001

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

**FROM:** DIVISION OF ECONOMIC REGULATION (E. DRAPER) *ED*  
DIVISION OF LEGAL SERVICES (HART) *HART* *Tgs*  
*RVE*

**RE:** DOCKET NO. 010443-EI - PETITION FOR APPROVAL OF WIRELESS INTERNET SERVICE (WIS-1) RATE AND SERVICE AGREEMENT BY FLORIDA POWER & LIGHT COMPANY.

**AGENDA:** MAY 29, 2001 - REGULAR AGENDA - TARIFF FILING - INTERESTED PERSONS MAY PARTICIPATE

**CRITICAL DATES:** 60-DAY SUSPENSION DATE: JUNE 4, 2001

**SPECIAL INSTRUCTIONS:** NONE

**FILE NAME AND LOCATION:** S:\PSC\ECR\WP\010443.RCM

### DISCUSSION OF ISSUES

**ISSUE 1:** Should the Commission suspend Florida Power & Light Company's (FPL) proposed Wireless Internet Service (WIS-1) rate?

**RECOMMENDATION:** Yes. [E. DRAPER, HART]

**STAFF ANALYSIS:** On April 5, 2001, FPL submitted to staff a new Wireless Internet Service (WIS-1) rate schedule and agreement. On April 23, 2001, FPL provided staff with information supporting the proposed tariff. Staff is conducting additional discovery and asked FPL for a waiver of the 60-day file and suspend period set forth in Section 366.06(3), Florida Statutes. On May 16, 2001, FPL filed a letter extending the 60-day period by an additional 30 days.

Staff will attempt to schedule FPL's petition for a Commission vote within the additional 30 days contemplated in FPL's May 16

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letter. However, staff is concerned that the limited additional time afforded by FPL may not be sufficient to fully evaluate the petition. Therefore staff recommends that the Commission suspend FPL's proposed new WIS-1 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. Staff recommends that the proposed tariff be suspended to allow staff the opportunity to request more supporting data, and additional time to evaluate the petition. Staff believes this is good cause, consistent with the requirements of Section 366.06(3), Florida Statutes.

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** No. The docket should remain open pending a final decision on the tariff. [HART]

**STAFF ANALYSIS:** The docket should remain open pending a final decision on the tariff.