

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for approval of) DOCKET NO. 951161-EI
proposed optional Commercial/) ORDER NO. PSC-95-1443-FOF-EI
Industrial Service Rider by Gulf) ISSUED: November 28, 1995
Power Company.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER SUSPENDING GULF POWER COMPANY'S
COMMERCIAL/INDUSTRIAL SERVICE RIDER TARIFF

BY THE COMMISSION:

On September 28, 1995, Gulf Power Company (Gulf) filed its proposed Commercial/Industrial Service Rider (CIS) tariff. This optional rider is available to customers eligible for service under Gulf's regular rate schedules applicable to loads of 500 kw or greater. Existing customers must have greater than 500 kw of demand, and new customers must add at least 1,000 kw of new load. The rider would allow Gulf to offer confidential discounted rates to those customers who assert that they have credible alternatives to taking service from Gulf. Tampa Electric Company filed a similar tariff on August 24, 1995.

The CIS represents a substantial departure from traditional cost-based ratemaking in the State of Florida. As such, we believe that the tariff should be suspended to allow time for additional discovery and to study the implications of the proposed tariff.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Gulf Power Company's Commercial/Industrial Service Rider tariff is hereby suspended.

DOCUMENT NUMBER-DATE
11870 NOV 28 1995
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By ORDER of the Florida Public Service Commission, this 28th
day of November, 1995.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Dwyer
Chief, Bureau of Records

(S E A L)

VDJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 19, 1995.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this Order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

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If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the date this Order becomes final, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.