

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to resolve ) DOCKET NO. 930885-EU  
territorial dispute with Gulf ) ORDER NO. PSC-96-0300-FOF-EU  
Coast Electric Cooperative, Inc. ) ISSUED: February 27, 1996  
by Gulf Power Company )  
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The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman  
J. TERRY DEASON  
JULIA L. JOHNSON

ORDER ACKNOWLEDGING WITHDRAWAL OF  
MOTION FOR EXTENSION OF TIME

BY THE COMMISSION:

In Order No. PSC-95-0271-FOF-EU we partially resolved a territorial dispute between Gulf Power Company (Gulf) and Gulf Coast Electric Cooperative (Gulf Coast). We determined that Gulf would serve a new prison facility in Washington County. We also determined that a continuing dispute existed regarding the utilities' service territories in other areas of south Washington and Bay Counties. We required the parties to return to the Commission within 180 days with a report identifying all parallel lines and crossings of their facilities, and all areas of potential dispute, in south Washington and Bay counties. During the 180 day period we directed the parties to negotiate in good faith to develop a territorial agreement to resolve duplication of facilities and establish a territorial boundary. We also decided that if the parties were not able to resolve their differences, we would conduct additional evidentiary proceedings to establish a boundary ourselves. We said that we intended to resolve the continuing dispute between these utilities once and for all.

At the end of January, as the deadline for filing the report approached, the parties filed a joint Motion for Extension of Time to File Report. Shortly thereafter, however, the parties informed us that their negotiations were at an impasse. They withdrew their motion for extension of time and proceeded to file their reports as Order No. PSC-95-0271-FOF-EU had directed them to do.

We acknowledge the withdrawal of the Motion for Extension of Time. Pursuant to the provisions of Order No. PSC-95-0271-FOF-EU, we will conduct further evidentiary proceedings to resolve the

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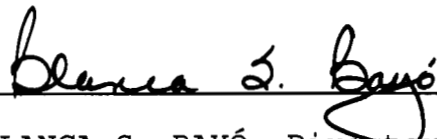
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continuing territorial dispute between the parties. A hearing has been set for September 4-5, 1996.

It is therefore,

ORDERED that the parties' withdrawal of their Motion for Extension of Time is acknowledged.

By ORDER of the Florida Public Service Commission, this 27th day of February, 1996.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

MCB

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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida

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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.

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