

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of revised rate schedules, new interruptible/curtailable service rider, and new optional retained, expanded, or attracted load service rider by Gainesville Regional Utilities/City of Gainesville.

DOCKET NO. 961106-EM
ORDER NO. PSC-97-0845-FOF-EM
ISSUED: July 14, 1997

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING TARIFF

BY THE COMMISSION:

On August 26, 1996, Gainesville Regional Utilities (GRU) filed a petition for revised electric rates, a new optional Interruptible-Curtailable Service Rider, and a new optional Retained, Expanded, or Attracted Load Service Rider. At the October 29, 1996 Agenda Conference, we decided not to take action on GRU's request for approval of its new optional Retained, Expanded, or Attracted Load Service Rider (Rider) since at that time the Gainesville City Commission had not yet approved the Rider. See, Docket 961106-EM, Order No. PSC-96-1361-FOF-EM, Order Deferring in Part and Approving in Part Petition for Approval of Revised Rate Schedules, New Interruptible/Curtailable Service Rider, and New Optional Retained, Expanded, or Attracted Load Service Rider, issued November 18, 1996. On May 27, 1997, the Gainesville City Commission approved the Rider with an effective date of June 1, 1997 and GRU filed a petition to implement the Rider.

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The Rider allows GRU to offer discounted rates to commercial customers who GRU determines to be either retained, expanded, or attracted load. Existing customers qualifying under load retention must have a documentable alternative source of electricity. Existing customers qualifying under expanded load must add at least 100 kW of additional verifiable load at the same site. New customers must have at least 100 kW of load after having considered other locations, not within the City's service area.

In order to be eligible for the Rider, a customer must demonstrate a viable economic alternative to taking service from GRU. The Strategic Planning Department of GRU will evaluate a customer's application for service under the Rider and the Gainesville City Commission will then determine whether offering this Rider to a particular customer is in the best interest of the City of Gainesville. After agreeing on the negotiated discount the customer will execute a contract with the City of Gainesville.

The contract shall be for a minimum of ten years. A negotiated discount will be granted only for the first four years of the contract life and a customer can negotiate a different discount price for each of the first four years. After the first four years the customer will return to the otherwise applicable rate schedule. The discount will never exceed 13 percent of base rates (customer, energy, and demand charge). GRU currently transfers 14.65 percent of gross revenue from base rates to the City's General Fund. Limiting the discount to 13 percent or less assures that there will always be some level of benefit to the City's General Fund.

GRU is not proposing to recover any shortfalls from the rest of the GRU's ratepayers and any shortfalls will be reflected as a reduction in the City's General Fund. Therefore, we approve the Rider with an effective date of June 1, 1997.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Gainesville Regional Utilities' request for approval of its new optional Retained, Expanded, or Attracted Load Service Rider is approved. It is further

ORDERED that the new optional Retained, Expanded, or Attracted Load Service Rider is effective June 1, 1997. It is further

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ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariff shall remain in effect pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirements set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 14th day of July, 1997.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

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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.

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 August 4, 1997.

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.

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.