

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Tampa  
Electric Company for approval of  
pilot program to implement  
seasonal fuel factors.

DOCKET NO. 000013-EI  
ORDER NO. PSC-00-1417-PCO-EI  
ISSUED: August 3, 2000

The following Commissioners participated in the disposition of  
this matter:

J. TERRY DEASON, Chairman  
SUSAN F. CLARK  
E. LEON JACOBS, JR.  
LILA A. JABER

ORDER CLOSING DOCKET

BY THE COMMISSION:

On January 4, 2000, Tampa Electric Company (TECO) filed a petition for approval of a pilot program to implement seasonal fuel factors. The proposed program would offer interruptible customers the option to utilize a seasonal fuel factor in lieu of the current annual fuel factor. By Order No. PSC-00-0515-PCO-EI, issued March 8, 2000, we granted the Florida Industrial Power Users Group's petition to intervene in this docket.

By Order No. PSC-00-0536-PCO-EI, issued March 15, 2000, we suspended the tariff implementing TECO's proposed pilot program to provide additional time for review of the program and to request supporting data from TECO. Subsequently, in response to a data request from our staff, TECO indicated that due to timing and customer preferences, it would defer implementation of the seasonal fuel factors until January 2001.

On June 13, 2000, prior to any action by this Commission on the merits of TECO's petition, TECO filed a notice of withdrawal of its petition. In its notice of withdrawal, TECO requests that this docket be closed and proposes to raise the substance of its petition in this Commission's next Fuel and Purchased Power Cost Recovery Clause (fuel clause) proceeding, which is set for hearing in November 2000. We note that FIPUG agrees that it would be appropriate to grant the relief requested by TECO.

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Because TECO voluntarily withdrew its petition which was the subject of this docket, leaving no pending issues for this Commission to address in the docket, this docket shall be closed.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 3rd day of August, 2000.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

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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.

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 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida 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.