

FLORIDA PUBLIC SERVICE COMMISSION

Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0850

MEMORANDUM

May 30, 1991

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF ELECTRIC AND GAS (COLSON) *RC*
DIVISION OF LEGAL SERVICES (BIRCHFIELD) *MAB MP JH RLT*

RE: ~~DOCKET NO: 910148-EU~~, JOINT APPLICATION FOR APPROVAL OF AMENDMENT TO TERRITORIAL AGREEMENT BETWEEN FLORIDA POWER AND LIGHT COMPANY AND PEACE RIVER ELECTRIC COOPERATIVE, INC.

AGENDA: JUNE 11, 1991 - NON-CONTROVERSIAL - PROPOSED AGENCY ACTION - PARTIES MAY PARTICIPATE.

PANEL: FULL COMMISSION

CRITICAL DATES: NONE

CASE BACKGROUND

Florida Power and Light Company (FPL) and Peace River Electric Cooperative, Inc. (PRECO) filed a petition with the Commission on February 12, 1991, requesting that the Commission approve an Amendment to their Territorial agreement. This Territorial agreement was approved on October 22, 1987, in Docket No. 870618-EU, Order No. 18332, between FPL and PRECO territories in Manatee, Sarasota, Desoto and Hardee counties, Florida. The modification of this agreement only affects section 2 of the agreement, which describes Exhibit A, the map duplicating the PRECO-FPL Territorial Boundary.

ISSUE 1: Should the Commission grant the Joint Application for approval of the amendment to the FPL-PRECO Territorial Agreement?

RECOMMENDATION: Staff recommends that the Commission approve the Amendment to the FPL-PRECO Territorial Agreement.

STAFF ANALYSIS: FPL and PRECO are proposing to modify a portion of their territorial boundary established by the Commission in Order No. 18332, issued October 22, 1987. This proposed modification will allocate a parcel of property in PRECO's Territory to FPL. Because of the particular nature of the development occurring along the portion of the Territorial Boundary, FPL and PRECO request a modification to the agreement in order to avoid inefficient use of facilities and improve safety. There will be no modification of the terms and conditions of the previously approved Territorial Agreement. There will be no customers

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transferred or facilities sold. However, the owner of the property has been contacted and is in favor of the Amendment.

The Attached Amendment Exhibits A and B, are a map and a description showing the proposed FPL-PRECO Territorial Boundary modification in Manatee County.

Staff believes the Attached Amendment will allow the utility to make economical long-range plans for expansion of electrical facilities in their respective service areas. Therefore, staff recommends the Amendment be approved.

ISSUE 2: Should this Docket be closed?

RECOMMENDATION: Yes

STAFF ANALYSIS: This Docket should be closed if no protest, notice of appeal, or motion for reconsideration is timely filed.

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