

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request by Gulf Power Company to
modify its underground residential differential
tariffs.

DOCKET NO. 120075-EI
ORDER NO. PSC-12-0262-PCO-EI
ISSUED: May 29, 2012

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

ORDER SUSPENDING PROPOSED UNDERGROUND
RESIDENTIAL DIFFERENTIAL TARIFFS

BY THE COMMISSION:

Background

On April 2, 2012, Gulf Power Company (Gulf) filed a petition for our approval of revision to its Underground Residential Distribution (URD) Tariff Sheet Nos. 4.25, 4.26, 4.26.1, and 4.26.2, and their associated charges. The URD tariffs apply to new residential developments and represent the additional costs Gulf incurs to provide underground distribution service in place of overhead service.

Rule 25-6.078, Florida Administrative Code, requires investor-owned electric utilities (IOUs) to file updated URD charges for our approval at least every three years, or sooner if a utility's underground cost differential for the standard low-density subdivision varies from the last approved charge by 10 percent or more.

We have jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

Suspension of Tariffs

Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such increase a reason or written statement of good cause for doing so within 60 days. We believe that our staff should be given sufficient time to review the petition and gather all pertinent information in order to present us with an informed recommendation on the tariff proposal. We find that this is good cause consistent with the requirement of Section 366.03(3), F.S., for suspension, and, accordingly, the proposed tariffs shall be suspended.

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the proposed underground residential differential tariffs are suspended as set forth in the body of this Order. It is further

ORDERED that this docket shall remain open pending our final decision on the proposed tariff revisions.

By ORDER of the Florida Public Service Commission this 29th day of May, 2012.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

RRJ

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.

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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; or (2) 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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.