

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for extension of  
time to file December 31, 1997  
Earnings Surveillance Report by  
Indiantown Gas Company.

DOCKET NO. 980429-GU  
ORDER NO. PSC-98-0592-FOF-GU  
ISSUED: April 27, 1998

The following Commissioners participated in the disposition of  
this matter:

JULIA L. JOHNSON, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.

NOTICE OF PROPOSED AGENCY ACTION  
ORDER GRANTING EXTENSION

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service  
Commission that the action discussed herein is preliminary in  
nature and will become final unless a person whose interests are  
substantially affected files a petition for a formal proceeding,  
pursuant to Rule 25-22.029, Florida Administrative Code.

On March 17, 1998, Indiantown Gas Company (Indiantown or the  
Company) requested an extension of time to file its December 31,  
1997, Earnings Surveillance Report (ESR). Pursuant to Rule 25-  
7.1352(1), Florida Administrative Code, Indiantown was required to  
file its report no later than February 15, 1998. Rule 25-  
7.1352(3), Florida Administrative Code, allows the Division of  
Auditing and Financial Analysis to grant one 31 day extension of  
time for filing an ESR upon the request of the company. A longer  
extension requires Commission approval, must be accompanied by a  
statement of good cause, and must specify the date by which the  
report will be filed.

Indiantown is a small gas company with eight employees serving  
approximately 594 customers. According to the Company, it was  
unable to meet the February 15, 1998, filing due date because it  
was "still in the process of recording its utility plant entries  
for the fiscal year ended December 31, 1997" and completing its  
year end records. The letter stated that records were now  
complete, but the Company overlooked the due date for filing.  
Indiantown asserts that it will file the ESR no later than March  
31, 1998.

DOCUMENTED BY DATE

04626 APR 27 98

APR 27 1998

ORDER NO. PSC-98-0592-FOF-GU  
DOCKET NO. 980429-GU  
PAGE 2

In order to meet the filing due date in the future, the Commission staff will work with Indiantown to develop a system for creating the ESR in-house and will provide assistance in preparing the June 1998 ESR. Given the Company's limited staff, the delay in closing 1997's books, and its willingness to work with staff to assure future filings are timely, we believe a sufficient showing of good cause has been made. Therefore, we find that Indiantown Gas Company's request for an extension of time to March 31, 1998, to file its December 31, 1997, ESR should be granted.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Indiantown Gas Company's request for an extension of time to March 31, 1998, to file its December 31, 1997, Earnings Surveillance Report is granted. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 27th day of April, 1998.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

RVE

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 action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), 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 May 18, 1998.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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 and effective on the date described above, any party substantially 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 effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The

ORDER NO. PSC-98-0592-FOF-GU  
DOCKET NO. 980429-GU  
PAGE 4

notice of appeal must be in the form specified in Rule 9.900(a),  
Florida Rules of Appellate Procedure.