

**Ann Cole**

**From:** Tim Devlin  
**Sent:** Monday, May 16, 2011 11:10 AM  
**To:** Ann Cole  
**Cc:** Commissioners Advisors; Marshall Willis; Curt Kiser; Chuck Hill; Mary Anne Helton  
**Subject:** FW: Oral Modification to Item 11 on May 24, 2011, Agenda Conference

Approved.

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**From:** Marshall Willis  
**Sent:** Monday, May 16, 2011 10:27 AM  
**To:** Tim Devlin  
**Cc:** Connie Kummer; Caroline Klancke; Cheryl Bulecza-Banks; Paul Stallcup; Elisabeth Draper; Sharon Allbritton; Jennifer Crawford; Mary Anne Helton  
**Subject:** Oral Modification to Item 11 on May 24, 2011, Agenda Conference

Staff requests to make a minor oral modification to Item 11, Docket No. 110097-EI, Gulf Power Company's RSVP tariff.

The staff recommendation in Issue 2 recommends a May 24, 2011, effective date, consistent with standard practice to make a tariff change effective on the day of the vote. Gulf in its petition did not request a different effective date. Friday afternoon a Gulf attorney contacted the staff attorney assigned to this docket to request an effective date with the first billing cycle in July 2011, to allow Gulf to make changes to its billing system to implement the revised tariff. Gulf states that it can not change its billing system by May 24, 2011. Staff has no objection to this request. The item is still non-controversial.

The modification requested by Gulf is shown below in type and strike:

**Issue 2:**

Should this docket be closed?

**Recommendation:**

Yes. If Issue 1 is approved, the tariffs should become effective on ~~May 24~~, the first billing cycle of July 2011. If a protest is filed within 21 days of the issuance of the order, the tariffs should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order. (Klancke)

**Staff Analysis:**

If Issue 1 is approved, the tariffs should become effective on ~~May 24~~, the first billing cycle of July 2011. If a protest is filed within 21 days of the issuance of the order, the tariffs should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order.

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