

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Temporary) DOCKET NO. 920489-GU
Waiver of Rule 25-7.024, F.A.C.,) ORDER NO. PSC-92-0725-FOF-GU
Rate of Return report, by) ISSUED: 07/28/92
Sebring Gas System, Inc.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING TEMPORARY RULE WAIVER

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On May 12, 1992, Sebring Gas System, Inc. (Sebring or Company) filed a request for a temporary waiver of Rule 25-7.024, Florida Administrative Code. This rule requires small investor-owned natural gas utilities to submit rate of return reports on a quarterly basis. Sebring requested a waiver of Rule 25-7.024 until the report for the quarterly period ended September 1992 is due.

In support of Sebring's request, the Company argued that it just recently became a regulated utility, and that it had not provided natural gas to any customers prior to January 1992. We established initial rates for the Company by Order 25456, issued December 9, 1991, and we set final rates by Order PSC-92-0229-FOF-GU, issued April 20, 1992. Sebring stated it would not have sufficient historical data to prepare a meaningful quarterly report until the period ending September 1992 had passed. We agree.

Accordingly, we approve Sebring's request for a temporary waiver of the filing requirements imposed by Rule 25-7.024, Florida Administrative Code. Sebring shall file its first quarterly rate of return report by November 16, 1992, which shall cover the period ending September 1992.

If no protest, notice of appeal, or motion for reconsideration is timely filed, this docket shall be closed.

DOCUMENT NUMBER-DATE

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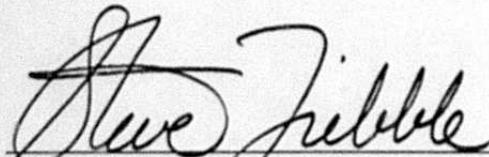
It is, therefore,

ORDERED by the Florida Public Service Commission that Sebring Gas System, Inc.'s request for a temporary waiver of Rule 25-7.024, Florida Administrative Code, is hereby approved. It is further

ORDERED that Sebring Gas System, Inc. shall file its first quarterly rate of return report by November 16, 1992. It is further

ORDERED that this Order shall become final and the docket shall be closed unless an appropriate petition for formal proceeding is received by the Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date indicated in the Notice of Further Proceedings or Judicial Review.

By ORDER of the Florida Public Service Commission this 28th day of July, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

MAB:bmi

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

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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 at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 18, 1992.

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