

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request to Revise the) DOCKET NO. 920741-EI
Tariff Sheet for the Capacity) ORDER NO. PSC-92-0844-FOF-EI
Payment Recovery Clause by) ISSUED: 08/20/92
Florida Power and Light Company.)
_____)

The following Commissioners participated in the disposition of this matter:

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

ORDER APPROVING TARIFF

BY THE COMMISSION:

Florida Power and Light Company (FPL) has requested Commission approval of modifications to its Capacity Payment Recovery Clause (CPRC) necessary to reflect the elimination of FPL's IST-1(D) and IST-1(T) rate schedules and the modification of its CILC-1 rate schedules. At its June 30, 1992 agenda conference, the Commission approved modifications to FPL's Commercial/Industrial Load Control (CILC) and the elimination of their Interruptible Service Time-of-Use (IST) rate schedule. Changes must be made to the Capacity Payment Recovery Clause to reflect the rate schedule modifications.

The customers currently being served on the eliminated IST-1(D) and IST-1(T) rate schedules will be transferred to the existing CILC-1(D) and CILC-1(T) rate schedules. The CPRC factors for the IST schedules are being eliminated, and the factors for the CILC rates are being adjusted to reflect the transfer of customers. The CPRC tariff is also being modified to reflect the addition of the new CILC-1(G) rate.

We approve the changes to the Capacity Payment Recovery Clause FPL has requested. The effective date for the revised tariff will be September 3, 1992. It is therefore

ORDERED that the changes to the Capacity Payment Recovery Clause that Florida Power and Light Company has requested are approved, effective September 3, 1992. It is further

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ORDERED that if a timely protest is filed, the tariff should remain in effect, with any increase in revenues stemming from this tariff held subject to refund pending resolution of the protest. It is further

ORDERED that if no protest or notice of appeal is filed, this docket should be closed.

By ORDER of the Florida Public Service Commission this 20th day of August, 1992.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

by: Kay Flynn

Chief, Bureau of Records

MCB: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.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), 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 September 10, 1992.

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In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.