

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: May 6, 2004

TO: Director, Division of the Commission Clerk & Administrative Services (Bayó)

FROM: Division of Economic Regulation (Wheeler, Kummer)
Office of the General Counsel (Brown)

RE: Docket No. 040252-EI – Petition for approval of revisions to Tariff Sheet No. 9.930, application form for Medically Essential Service, by Florida Power & Light Company.

AGENDA: 05/18/04 – Regular Agenda – Tariff Filing – Interested Persons May Participate

CRITICAL DATES: 60-Day Suspension Date: 05/21/04

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\040252.RCM.DOC

Case Background

On March 22, 2004, Florida Power & Light Company (FPL) filed a petition for approval of proposed revisions to its Application Form for Medically Essential Service.

The Commission has jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05 and 366.06, Florida Statutes.

Discussion of Issues

Issue 1: Should FPL's proposed changes to its Application Form for Medically Essential Service tariff be suspended?

Recommendation: Yes. (Wheeler, Kummer)

Staff Analysis: On March 22, 2004, FPL filed a petition for approval of proposed revisions to its Application Form for Medically Essential Service. Staff is recommending that the tariff be suspended to allow staff sufficient time to review the petition in order to present the Commission an informed recommendation on the tariff proposal.

Pursuant to Section 366.06(3), Florida Statutes, the Commission 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. Staff believes that the reason stated above is good cause consistent with the requirement of Section 366.06(3), Florida Statutes.

Issue 2: Should this docket be closed?

Recommendation: No. (Brown)

Staff Analysis: This docket should remain open pending the Commission vote on the proposed tariff revision.