

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: November 17, 2005

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

FROM: Division of Economic Regulation (Wheeler)
Office of the General Counsel (C. Keating)

RE: Docket No. 050779-EI – Request to modify tariff provision regarding waiver of connection charges for customers affected by natural disasters by Florida Power & Light Company.

AGENDA: 11/29/05 – Regular Agenda – Tariff Filing – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: 12/05/05 (60-Day Suspension Date)

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\ECR\WP\050779.RCM.DOC

Case Background

On October 6, 2005, Florida Power & Light Company (FPL) filed a petition to amend the Service Charges section in its Tariff Sheet No. 4.020. The proposed tariff revision would allow FPL to waive connection charges for new FPL customers affected by natural disasters or during periods of declared emergencies.

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

Discussion of Issues

Issue 1: Should the Commission approve Florida Power & Light Company's requested tariff modification to allow waiver of initial connection fees for new customers who are affected by natural disasters?

Recommendation: Yes. (Wheeler)

Staff Analysis: Currently, FPL's tariff allows FPL to waive its initial connection fees to new premises and its fee for connection of existing premises accounts for those FPL customers affected by natural disasters or during periods of declared emergencies. The current rate for both of these services is \$14.88. The waivers currently apply only to existing FPL customers who relocate within FPL's service area.

FPL has now proposed that the waiver of its initial connection charge be extended to *new* FPL customers affected by natural disasters or during periods of declared emergencies. This revision will allow FPL to waive the connection fee for those customers affected by natural disasters who relocate to FPL's service area from elsewhere. Staff believes that the proposed change is reasonable, and should be approved. It will allow FPL to provide relief to those customers affected by the recent hurricanes, as well as customers affected by future natural disasters that cause them to relocate to FPL's service territory.

Issue 2: Should this docket be closed?

Recommendation: Yes. If Issue 1 is approved, the tariff revision should become effective on November 29, 2005. If a protest is filed within 21 days of the issuance of the order, the tariff should remain in effect pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order. (C. Keating)

Staff Analysis: Yes. If Issue 1 is approved, the tariff revision should become effective on November 29, 2005. If a protest is filed within 21 days of the issuance of the order, the tariff should remain in effect pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order. (C. Keating)