

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Investigation of Plan by) DOCKET NO. 931034-EI
Florida Power and Light Company) ORDER NO. PSC-94-0033-FOF-EI
to Close Local Offices and) ISSUED: January 11, 1994
Contract with Eckerd Drugs to)
Accept Monthly Electric Bill)
Payments from Customers for a)
Fee)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION

ORDER ON FLORIDA POWER AND LIGHT COMPANY'S PLAN
TO PROVIDE BILL PAYMENT LOCATIONS

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.

Florida Power and Light Company (FPL) and Jack Eckerd Corporation (Eckerd's) entered into a contract by which Eckerd's was designated FPL's exclusive agent to collect bill payments in person from FPL's customers. FPL intends to close all payment sections of its local offices by the end of 1994, except its Liberty City office, and customers who pay their monthly bills in person are required to make their payments at an Eckerd's Drug Store. The Eckerd's agreement permits Eckerd's to charge FPL's customers \$0.35 for each bill payment handled by the stores. Eckerd's will not accept the payment unless the charge is paid.

Our staff recommended that we should not permit the \$0.35 charge, that FPL should have filed a tariff reflecting the new bill payment arrangement, and that FPL should refund all transaction charges collected by Eckerd's. FPL's customers have been paying the \$0.35 charge since October 1, 1993.

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FPSC-RECORDS/REPORTING

At our December 21, 1993, Agenda Conference, FPL agreed that it would no longer require that its customers pay \$0.35 to pay their bills in person. FPL stated that it was in the process of renegotiating its contract with Eckerds to eliminate the bill payment charges to the customers. FPL asserted that it would present a new Eckerds contract or another comparable free payment option for our review at the January 18, 1994 Agenda. FPL requested that we defer a decision on reimbursement of the transaction charges until the 18th Agenda.

Since FPL has agreed that it will no longer require its customers to pay the bill payment charge, we will allow FPL the time to renegotiate its contract with Eckerds or present a new plan to us no later than our January 18, 1994 Agenda Conference, with the condition that all customers who paid the charge to Eckerds from December 21 to January 18 will be entitled to reimbursement from FPL when the new plan is approved. We will make a decision on reimbursement of amounts collected before December 21 at the January 18 Agenda. It is therefore,

ORDERED by the Florida public Service Commission that Florida Power and Light Company shall present a new Eckerds contract for customer bill payment services or another comparable free bill payment option at our January 18th, 1994 Agenda Conference. It is further,

ORDERED that all Florida Power and Light Company customers who pay a bill payment charge to Eckerds from December 21, 1993 to January 18, 1994 shall be entitled to reimbursement from FPL when the new bill payment plan is approved. It is further,

ORDERED that this Order shall become final and this 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 11th day of January, 1994.



STEVE TRIBBLE, Director
Division of Records and Reporting

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 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 February 1, 1994.

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.