

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of a residential standby generator rate schedule, by Florida Public Utilities Company. DOCKET NO. 080072-GU
ORDER NO. PSC-08-0225-PCO-GU
ISSUED: April 3, 2008

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

On January 31, 2008, Florida Public Utilities Company (FPUC) filed a petition for approval of a residential standby generator rate schedule. The proposed rate schedule is available to residential customers who wish to install a natural gas-fired electric generator to provide service when electric service to the customer's premise is interrupted. FPUC's proposed residential standby generator rate schedule is available to residential customers who wish to install a natural gas-fired electric generator to provide service when electric service to the customer's premise is interrupted and whose only gas appliance is the generator. Residential customers with a generator and other gas-appliance(s) will continue to take service under the residential rate schedule. In support of its petition, FPUC states that after the 2004 hurricane season, FPUC began receiving numerous requests to provide natural gas service to customers whose only gas-consuming appliance would be the standby generators. The generators would be operated only during periods when electric service to the customer's premise is interrupted as a result of a hurricane or other forced outage. Therefore, except during electric outages, the generator does not run and there is no throughput of gas. We have jurisdiction pursuant to Section 366.06, Florida Statutes.

Pursuant to Section 366.06(3), Florida Statutes, we may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility making the request a reason or written statement of good cause for doing so within 60 days. As such, we find that the tariff shall be suspended to allow our staff sufficient time to review of the petition in order to present us an informed recommendation on the tariff proposal. This reason is good cause consistent with the requirements of Section 366.06(3), Florida Statutes.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Public Utilities Company's petition for approval of a residential standby generator rate tariff is hereby suspended. It is further

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ORDERED that this docket shall remain open pending a substantive decision on the proposed tariff revision.

By ORDER of the Florida Public Service Commission this 3rd day of April, 2008.



ANN COLE
Commission Clerk

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

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