

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for acknowledgment of change in name from West Florida Natural Gas Company to Tampa Electric Company d/b/a Peoples Gas System, due to June 30, 1997 merger of West Florida with Tampa Electric Company.

DOCKET NO. 971134-GU
ORDER NO. PSC-97-1530-FOF-GU
ISSUED: December 8, 1997

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
DIANE K. KIESLING
JOE GARCIA

NOTICE OF PROPOSED AGENCY ACTION
ORDER ACKNOWLEDGING CHANGE IN NAME

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 substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On June 30, 1997, West Florida Natural Gas Company was merged with and into Tampa Electric Company (TECO). Pursuant to Rule 25-9.044, Florida Administrative Code, TECO filed its notice of adoption and ratification of the tariff of its acquired company, West Florida Natural Gas, within 10 days of the change in ownership of the acquired utility.

We acknowledge the change in ownership and the merger of West Florida Natural Gas Company into and with Tampa Electric Company D/B/A Peoples Gas System. TECO has complied with Rule 25-9.044, Florida Administrative Code, regarding mergers and acquisitions. TECO is, therefore, entitled to acknowledgment of its name change. In acknowledging this name change, we are following our precedent

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12508 DEC-86

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set forth in Order No. 24604, issued June 3, 1991, and Order No. 24114, issued February 15, 1991.

As the surviving company of the merger, TECO is committed to providing the goods and services of West Florida Natural Gas Company as they were provided before the merger. TECO will provide these goods and services under the name Peoples Gas System. TECO's gas operations will be through a division separate from its electric division.

It is therefore

ORDERED that the change in name from West Florida Natural Gas Company to Tampa Electric Company D/B/A Peoples Gas System due to June 30, 1997, merger of West Florida with Tampa Electric is acknowledged by this Commission. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 8th day of December, 1997.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(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.

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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 29, 1997.

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 substantially 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

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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.