

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL

In Re: Indiantown Gas Company)
Inc.'s Unbundling Tariff Under)
Commission Rule 25-7.0335, F.A.C.)

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UNDOCKETED
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MOTION OF INDIANTOWN GAS COMPANY, INC. FOR EXTENSION OF TIME TO FILE TARIFF OR ALTERNATIVE PETITION FOR WAIVER OF FILING DEADLINE SPECIFIED IN COMMISSION RULE 25-7.0335, F.A.C.

Indiantown Gas Company, Inc. ("Indiantown" or "the Company"), pursuant to Rule 28-106.204, Florida Administrative Code ("F.A.C."), respectfully requests that the Commission grant Indiantown an extension of 60 days in which to file its tariff as required by Commission Rule 25-7.0335, F.A.C. In the alternative, pursuant to Section 120.542, Florida Statutes, Indiantown respectfully requests that the Commission waive the filing deadline set forth in Rule 25-7.0335, F.A.C. to the extent of allowing Indiantown an extension of 60 days to file the subject tariff. In summary, Indiantown respectfully requests this relief on the grounds that because of other demands on its limited resources, it has not yet been able to prepare its tariff for filing and that no prejudice will result to any entity as a result of the requested extension of time.

In further support of this Petition, Indiantown states as follows.

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BACKGROUND

1. The name and address of the Movant or Petitioner is as follows:

Indiantown Gas Company, Inc.
ATTN: Brian J. Powers, General Manager
16600 S.W. Warfield Road
Indiantown, Florida 34956.

2. All pleadings, motions, orders, and other documents directed to Petitioner are to be served on the following:

Robert Scheffel Wright
Landers & Parsons, P.A.
310 West College Avenue (ZIP 32301)
Post Office Box 271
Tallahassee, Florida 32302,

with a courtesy copy to:

Brian J. Powers, General Manager
Indiantown Gas Company, Inc.
166-00 S.W. Warfield Road
Indiantown, Florida 34956.

3. The name and address of the agency affected by this Motion or alternative Petition is:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850.

4. Indiantown is a public utility providing natural gas service in Indiantown, Florida and the surrounding area.

Indiantown is the smallest public utility in Florida, having approximately 660 customers and five (5) employees. In 1999, the Company's total natural gas throughput was approximately 11,000,000 therms. The Company has 21 commercial customers with total 1999 throughput of 80,000 therms.

5. Commission Rule 25-7.0335, F.A.C. requires each public

utility providing natural gas service to provide gas transportation service to its non-residential customers. In furtherance of this requirement, the Rule also requires each utility to file a gas transportation tariff by July 1, 2000.

6. Indiantown fully intends to comply with the subject Rule, but due to other demands on its limited personnel and financial resources, including an expensive line replacement program currently in progress and the need to address specific safety compliance issues, Indiantown has not yet been able to perform the necessary research and evaluations to prepare and file its tariff. For example, Indiantown has not yet been able to identify billing hardware and computer software that will be necessary to accommodate the development and implementation of the transportation tariff.

MOTION FOR EXTENSION OF TIME

7. As stated above, Indiantown Gas Company has been unable to perform no prejudice will occur to any of Indiantown's customers as a result of the requested modest extension. Accordingly, Indiantown moves the Commission for an order granting it an extension of 60 days, i.e., to the close of business on August 30, 2000, to file its gas transportation service tariff pursuant to Rule 25-7.0335.

ALTERNATIVE PETITION FOR WAIVER OF RULE 25-7.0335, F.A.C.

The purpose of the underlying rule is to enable non-residential customers desiring gas transportation service to

obtain such service from their local gas distribution utilities. Indiantown fully intends to comply with the Rule and to provide the contemplated gas transportation service, and accordingly, the fundamental purpose of the statute will be served. As noted above, Indiantown is the smallest public utility in Florida and accordingly, Indiantown has limited financial and personnel resources. Moreover, the Company is presently required to commit much of those resources to a line replacement program and to addressing specific safety compliance issues. Under these circumstances, requiring Indiantown to develop its transportation service tariff by July 1 would impose a substantial hardship on the Company. No prejudice will occur to any of Indiantown's customers as a result of the requested extension.

Accordingly, because Indiantown will comply with the Rule and because requiring compliance within the deadlines established in the Rule would impose a substantial hardship on the Company, the Commission should, if it declines to grant the Company's motion for extension of time, grant the Company's request for a waiver of that deadline.


RELIEF REQUESTED

Indiantown respectfully requests the Commission to enter an order granting its motion for an extension of 60 days within which to comply with Commission Rule 25-7.0335, F.A.C., or in the alternative, to enter an order waiving the filing deadline in the subject Rule by 60 days.

CONCLUSION

Indiantown Gas Company will fully comply with Commission Rule 25-7.0335, F.A.C. However, because of the Company's limited personnel and financial resources, and current construction and safety programs that demand priority, the Company has not yet been able to perform the necessary groundwork to develop its gas transportation tariff. Accordingly, Indiantown requests an extension of 60 days (or a waiver of the deadline in the subject Rule) in which to file its transportation service tariff. Because requiring Indiantown to comply earlier would impose a substantial hardship on the Company, and because no prejudice will accrue to any of Indiantown's customers as a result of this modest extension, the Commission should grant the relief requested herein.

Respectfully submitted this 30th day of June, 2000.


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