

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of
late payment charge by Atlantic
Utilities, a Florida Division of
Southern Union Company d/b/a
South Florida Natural Gas.

DOCKET NO. 000634-EI
ORDER NO. PSC-00-1392-TRF-EI
ISSUED: July 31, 2000

The following Commissioners participated in the disposition of
this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
E. LEON JACOBS, JR.
LILA A. JABER

ORDER APPROVING TARIFF MODIFICATION

BY THE COMMISSION:

On May 24, 2000, Atlantic Utilities, a Florida Division of
Southern Union Company d/b/a South Florida Natural Gas ("South
Florida") filed a petition to provide for a late payment charge.

South Florida reported that from January 1999 through April
2000, approximately 12.72% of South Florida's accounts were
delinquent. Accounts are delinquent when payment is not received
by the due date indicated on the customer's bill, which is
approximately twenty days from the date of mailing.

South Florida believes that, by applying a provision to
include a late payment charge, the Company will be able to allocate
the costs associated with unpaid balances directly to those
customers who do not pay their bills timely. South Florida
proposes to assess a late payment fee on all customers failing to
pay their bill by the past due date.

This proposed modification would allow South Florida to assess
a late charge of 1.5% of the unpaid balance or \$5.00, whichever is
greater, to all delinquent accounts other than federal, state, and
local government entities. Local governments are subject to
imposition of a late payment charge in accordance with Section

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21.422, Florida Statutes; state agencies according to Section 218.70-79, Florida Statutes; and federal agencies according to Title 31, United States Code, Sections 3901-3907.

The Company reported an achieved return on equity (ROE) of 6.73% on its latest surveillance report for December 1999. If the \$5.00 late charge had been in effect during 1999, the Company estimates that it would have received an additional \$30,759 in revenue, which would have increased the earned ROE by .88%.

We have previously approved late payment provisions similar to that proposed by South Florida. We have granted the authority to assess a late payment fee to City Gas Company of Florida in Order No. PSC-98-0261-FOF-GU; Peoples Gas System, Inc. in Order No. PSC-96-0371-FOF-GU; Florida Power Corporation in Order No. PSC-95-1087-FOF-EI; and St. Joe Natural Gas Company in Order No. PSC-96-1000-FOF-GU.

Based on the foregoing reasons, we approve South Florida's petition for a revision to its natural gas tariff to include a provision for a late payment charge. Prior to implementation, South Florida shall provide a thirty-day advance notice to its customers. A sample of the notice shall be submitted to the Commission's Division of Competitive Services for approval prior to implementation.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Atlantic Utilities, a Florida Division of Southern Union Company d/b/a South Florida Natural Gas's Petition for a approval of late payment charge is hereby approved. It is further

ORDERED that South Florida Natural Gas shall provide a thirty-day advance notice to its customers prior to implementation and a sample of this notice shall be submitted to the Commission's Division of Competitive Services for approval prior to implementation. It is further

ORDERED that this tariff provision shall become effective August 10, 2000, thirty days after the Commission vote. It is further

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ORDERED that if a protest is filed within 21 days of issuance of the Order, the tariff shall remain in effect with any charges held subject to refund pending resolution of the protest. It is further

ORDERED that if no timely protest is filed, this docket shall be closed upon the issuance of a Consummating Order.

By ORDER of the Florida Public Service Commission this 31st day of July, 2000.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

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NOTICE OF FURTHER PROCEEDINGS

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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the proposed action files a petition for a formal proceeding, in the form provided by Rule 28-106.201, 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 August 21, 2000.

In the absence of such a petition, this Order shall become final and effective upon the issuance of a Consummating Order.

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.