

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Florida) DOCKET NO. 940423-EI
Power and Light for Approval of) ORDER NO. PSC-94-0848-FOF-EI
Experimental Real Time Pricing) ISSUED: July 13, 1994
Rate, Rate Schedule RTP-GX)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING

ORDER SUSPENDING PROPOSED REAL TIME PRICING TARIFF AND
GRANTING REQUEST FOR HEARING

BY THE COMMISSION:

On April 29, 1994, Florida Power and Light Company (FPL) petitioned for approval of its experimental Commercial/Industrial Real Time Pricing tariff, rate schedule RTP-GX. The tariff was filed as part of FPL's proposed Commercial/Industrial Real Time Pricing Research Project.

The proposed RTP-GX rate is a four-year experimental rate available to commercial/industrial customers whose maximum monthly demands are 1,500 kw or higher. An integral part of the rate involves establishing each customer's historic 12-month hourly usage, called the Customer Baseline Load (CBL). Under the rate, customers can reduce their total electric bills by changing consumption patterns and/or the total amount of electricity consumed relative to their individual CBL. FPL proposes to recover revenue shortfalls resulting from the reduction in the price of electricity below the customer's otherwise applicable rate from all ratepayers through the Energy Conservation Cost Recovery Clause (ECCR).

We are concerned that FPL's core customers (i.e. residential and small commercial customers) are being asked to pay for this program through the ECCR. We believe there are many difficulties in establishing and maintaining the appropriate CBL for each customer.

We therefore grant FPL's request that this matter be set for hearing in order to fully explore the proposed RTP-GX rate. The hearing shall be held on November 10, 1994.

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Because this matter has been set for formal hearing, we suspend FPL's proposed real time pricing tariffs pending the outcome of the hearing, or any stipulation approved by this Commission.

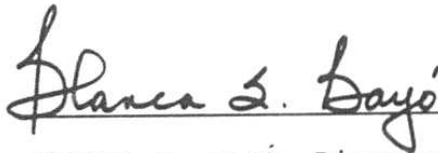
It is therefore,

ORDERED that Florida Power and Light's request for a hearing is granted. It is further

ORDERED that Florida Power and Light's proposed real time pricing tariff is suspended pending the outcome of the hearing. It is further

ORDERED that this docket shall remain open until approval or denial of Florida Power and Light's proposed real time pricing tariff.

By ORDER of the Florida Public Service Commission, this 13th day of July, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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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.

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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 action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on August 3, 1994.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.