

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Adoption of Numeric)
Conservation Goals and)
Consideration of National Energy)
Policy Act Standards (Section)
111))
GAINESVILLE REGIONAL UTILITIES -) DOCKET NO. 930553-EG
CITY OF GAINESVILLE)
JACKSONVILLE ELECTRIC AUTHORITY) DOCKET NO. 930554-EG
KISSIMMEE UTILITY AUTHORITY) DOCKET NO. 930555-EG
CITY OF LAKE LAND) DOCKET NO. 930556-EG
CITY OF OCALA) DOCKET NO. 930557-EG
ORDER NO. PSC-94-1087-PCO-EG
ISSUED: September 2, 1994

ORDER GRANTING MOTIONS TO ENLARGE SCHEDULE AND ELIMINATE
TMPRR FILING REQUIREMENT

On July 15, 1994, the Gainesville Regional Utility, the Jacksonville Electric Authority, the Kissimmee Utility Authority, the City of Lakeland and the City of Ocala (the utilities) each filed a Motion to Enlarge Schedule and Eliminate TMPRR Filing Requirement in the applicable above-referenced docket. Each motion alleges the identical bases for the requested relief. The motions seek to delay the filing of the Cost-Effectiveness Goals Results Reports (CEGRR) until "a minimum of six months after the tender date of the PSC's abbreviated list of programs." Each utility also asks that the requirement that it file a Technical Market Potential Results Report (TMPRR) in this proceeding be eliminated. No party filed a response to the motions.

In their motions, each utility notes that the Commission's decision on the appropriate goals for Florida's investor-owned electric utilities is set for October 3, 1994. This is approximately two months later than was expected when the Commission issued Order No. PSC-93-1305-FOF-EG (Order No. 93-1305) on September 8, 1993.

Order No. 93-1305 contemplated that the goals setting process for the municipal and cooperative utilities would be deferred until after the hearing and agenda conference for the four largest investor-owned utilities. At that time, the municipal and cooperative utilities would be provided an abbreviated list of the most cost-effective demand side management measures from the 110 (actually 162) listed in Synergic Resources Corporation's Report No. 7777-78, Electricity Conservation and Energy Efficiency in Florida: Technical, Economic and Achievable Results (the SRC Study). The municipal and cooperative utilities would each be required to file a Technical Market Potential Results Report and a

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Cost-Effectiveness Goals Results Report. The abbreviated list of programs is instead being provided to the parties as appendix A of Order No. PSC-94-1082-PCO-EG, issued this date.

Each utility seeks to eliminate the requirement that it file a TMPRR, saying that it would not prepare a TMPRR if it did not have to, and that it could prepare a CEGRR without preparing a TMPRR. No party opposed the requests to eliminate the TMPRR. Having reviewed the requests, it is found that they should be granted.

Representatives of the municipal and cooperative electric utilities have stated that there are substantial differences between municipal and cooperative utilities and the investor-owned utilities with respect to: purchased power/power supply arrangements; avoided cost; rate structure; pricing; load characteristics; cost of capital; and other considerations. Thus, evaluating a more abbreviated list of the most cost-effective programs for the IOU's might eliminate many potential viable measures from consideration in these dockets. Delaying the decision on which programs the municipal and cooperative utilities should evaluate until after October 3, 1994, would delay the entire goals setting process. Delay would not necessarily result in any reduced burden on the utilities, nor would it further reduce the list of programs to be evaluated.

Each utility's Motion seeks six months to complete its CEGRR. The current Case Assignment and Scheduling Record contemplates the filing of the CEGRR on October 20, 1994. Six months appears to be an excessive amount of time to complete this type of filing. On September 2, 1994, the Commission issued Order No. PSC-94-1082-PCO-EG, Order Establishing Procedure (Order No. 94-1082), in these and other related dockets. That Order provides the list of measures to be evaluated by the utilities and specifies the data requirements and the reporting format. The Order establishes the date for filing the CEGRR as December 23, 1994. This is approximately four months from the date of this Order and offers sufficient time to complete the report in the prescribed format. Therefore it is found that each utility's request to revise the CEGRR filing date is granted to require the filing of the CEGRR consistent with the requirements of Order No. 94-1082 on or before December 23, 1994.

The final hearing in this matter has been rescheduled from February to April of 1995. The elimination of the TMPRR filing and the extension of the CEGRR filing should afford the utilities and other interested parties ample time to provide sufficient information to enable the Commission to establish meaningful conservation goals, consistent with the Commission's statutory responsibilities.

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Based on the foregoing, it is

ORDERED that Gainesville Regional Utility's, Jacksonville Electric Authority's, Kissimmee Utility Authority's, the City of Lakeland's, and the City of Ocala's motions to eliminate the TMPRR filing requirement are granted. It is further

ORDERED that Gainesville Regional Utility's, Jacksonville Electric Authority's, Kissimmee Utility Authority's, the City of Lakeland's, and the City of Ocala's motions to enlarge the schedule are granted to the extent that each utility's CEGRR shall be filed on or before December 23, 1994, consistent with the requirements of Order No. 94-1082.

By ORDER of Commissioner Diane K. Kiesling, as Prehearing Officer, this 2nd day of September, 1994.


Diane K. Kiesling, Commissioner
and Prehearing Officer

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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.

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 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) 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 Director, Division of Records and Reporting, 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.