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Blanca S. Bayó, Director
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Florida Public Service Commission
4075 Esplanade Way, Room 110
Tallahassee, Florida 32399-0850

By Hand Delivery

Re: Daylight Dimming

981253-EG

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company are the original and fifteen (15) copies of Petition for Extension of Florida Power & Light Company's Commercial/Industrial Daylight Dimming Research Project.

If you or your Staff have any questions regarding this filing, please contact me

Very truly yours,



Charles A. Guyton

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition of Florida Power
& Light Company For Extension
of Commercial/Industrial Daylight
Dimming Research Project**

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Docket No.
Filed: October 1, 1998

**PETITION FOR EXTENSION OF
FLORIDA POWER & LIGHT COMPANY'S
COMMERCIAL/INDUSTRIAL DAYLIGHT DIMMING
RESEARCH PROJECT**

Florida Power & Light Company ("FPL"), pursuant to Section 366.82(2), Florida Statutes (1997) and Florida Administrative Code Rule 28-106.301, hereby petitions the Florida Public Service Commission ("Commission") to extend the Commercial/Industrial Daylight Dimming Research Project through August 1999 and to allow FPL to recover through FPL's Energy Conservation Cost Recovery ("ECCR") Clause, during the extension reasonable and prudent expenditures for administrative costs incurred for the Commercial/Industrial Daylight Dimming Research Project, subject to the \$377,000 approved expenditure cap. The grounds for this Petition are:

1. The name and the address of the affected agency are:

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

2. FPL is an investor-owned electric utility regulated by the Commission pursuant to Chapter 366, Florida Statutes. FPL is subject to the Florida Energy Efficiency Conservation Act

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("FEECA"), Section 366.80-85, 403.519, Florida Statutes (1997), and its ECCR Clause is subject to the Commission's jurisdiction. FPL is substantially affected thereby.

3. FPL's address is 9250 West Flagler Street, Miami, FL 33174. Correspondence, notices, orders and other documents concerning this Petition should be sent to:

Charles A. Guyton
Steel Hector & Davis LLP
Suite 601
215 S. Monroe St.
Tallahassee, FL 32301
(850) 222-2300

William G. Walker, III
Vice President, Regulatory Affairs
Florida Power & Light Company
9250 W. Flagler Street
Miami, FL 33174
(305) 552-4981

4. In the final order in Docket No. 930548-EG, the order establishing FPL's conservation goals for the period 1994 through 2003, the Commission established conservation goals for FPL through the year 2003 which were approximately 300 MW in excess of the level of DSM FPL had found to be reasonably achievable. In establishing these aggressive goals, the Commission discussed the possibility of FPL research and development efforts yielding some of the additional MW needed for FPL to achieve its goals:

FPL witness Hugues indicated that there is a very good possibility that due to changes in technology, FPL's R&D program might be able to achieve the additional 130 MW of DSM-RIM necessary to defer the 2002 need. (Tr. 620, 4499) FPL's R&D program may result in approved programs producing the additional capacity savings in much the same manner as the 1990 DSM Plan produced an additional 342 MW. (Tr. 619-20) The current R&D program is evaluating approximately seven C/I programs and four residential programs. (Tr. 620) ... It is possible that FPL might exceed its proposed goal, considering its prior history of exceeding internal DSM goals, and the potential contributions from R&D programs and green pricing options.

Order No. PSC-94-1313-FOF-EG, at 32-33.

5. Consistent with the Commission's expectation that FPL would need to develop additional DSM measures through research and development efforts, FPL petitioned in July 1996 for approval of the Commercial/Industrial Daylight Dimming Research Project. In Order No. PSC-96-1366-FOF-EG, the Commission approved FPL's Commercial/Industrial Daylight Dimming Research Project.

6. When FPL filed its original petition, the Commercial/Industrial Daylight Dimming Research Project was tentatively scheduled to last for a period of 20 months from the date of Commission approval. The projected cost of the Commercial/Industrial Daylight Research Project was \$ 377,000.

7. In Order No. PSC-96-1366-FOF-EG, the Commission stated that:

FPL may recover reasonable and prudent expenses through the conservation cost recovery clause. However, expenses are limited to \$377,000 over the twenty months from the date this Order becomes final.

Order No. PSC-96-1366-FOF-EG became effective on December 10, 1996, and twenty months from that date was August 10, 1998. Because the Commission limited cost recovery to twenty months from the date the order approving the Commercial/Industrial Daylight Dimming Research Project became effective, FPL seeks an extension of the period for conducting the Research Project through August 1999.

8. As addressed more fully in the original petition for approval of the Research Project, the primary objectives of the Commercial/Industrial Daylight Dimming Research Project are to determine the benefits of daylight dimming technology to individual customers and quantify the peak demand reductions available from the implementation of this technology. Although FPL has

installed daylight dimming technology at two sites, it has not been able to install the facilities as quickly as it originally envisioned. Site evaluations took longer than expected, and once the sites were chosen, the customer at the site in the South climate zone declined to participate. After additional evaluation, a second site in the South climate zone was selected, but shortly after the selection, the new customer decided to change out windows, causing a further delay in the installation of the lighting controls and monitoring equipment. In light of these delays, additional time is needed to complete the Research Project and achieve the Project's objectives.

9. Given the current status of the Research Project, FPL requests an extension of the Research Project through August 1999. Pre-retrofit data collection was accomplished from October 1997 through June 1998. Dimming systems were activated for buildings in July 1998. With the requested extension, the two sites may optimize their lighting systems to reflect the advantages of daylight dimming in January 1999. Monitoring of the optimized lighting systems should take an additional three months. FPL anticipates having the final report from the research contractor in July 1999. With an extension of the Research Project through August 1999, FPL should be able to complete the Research Project and gather the information envisioned when this Research Project was proposed and approved.

10. FPL does not propose to spend in excess of the \$377,000 it originally proposed and the Commission approved for the Research Project. FPL simply needs additional time to complete the Research Project and gather the intended data.

11. An extension of the Commercial/Industrial Daylight Dimming Research Project will help achieve the goals of FEECA and Commission Rule 25-17.001, Florida Administrative Code. One of the expressed intents of the Commission's rules implementing FEECA is to foster research and

development. If the Research Project finds that this technology may be offered cost-effectively, then the Project may help FPL to achieve its numeric conservation goals. Regardless of whether the technology proves to be cost-effective, the research will add to the understanding of the technology and foster its development.

12. One of the primary purposes of the Research Project has been and will continue to be to determine the reliable assumptions necessary to measure the cost-effectiveness of this promising technology. An extension of the Research Project will allow the collection of the data necessary to measure the cost-effectiveness of this technology.

13. The Commercial/Industrial Daylight Dimming Research Project continues to be directly monitorable and will yield measurable results.

14. FPL is not aware of any disputed issues of material facts. This petition is not in response to a prior agency decision, so the petitioner cannot state when and how it "received notice of the agency decision." The extension of Commercial/Industrial Daylight Dimming Research Project through August 1999 should be approved, and FPL should be authorized to recover through its ECCR clause its reasonable and prudent expenditures for the Commercial/Industrial Daylight Dimming Research Project, subject to the \$377,000 limit previously authorized by the Commission. FPL is entitled to relief under Section 366.82(2), Florida Statutes (1997)

WHEREFORE, FPL respectfully petitions the Commission to approve an extension of FPL's Commercial/Industrial Daylight Dimming Research Project through August 1999 and allow

FPL to recover its reasonable and prudent Research Project expenditures, subject to the expenditure cap of \$377,000, through FPL's ECCR clause.

Respectfully submitted,

**STEEL HECTOR & DAVIS LLP
215 S. Monroe St., Suite 601
Tallahassee, Florida 32301-1804**


**Attorneys for Florida Power
& Light Company**

By: 
Charles A. Guyton

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Petition For Extension Of Florida Power & Light Company's Commercial/Industrial Daylight Dimming Research Project was mailed this 1st day of October, 1998 to the following:

**Jack Shreve, Esquire
Office of Public Counsel
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400**



Charles A. Guyton

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