

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Amendment of
Rule 25-17.015, F.A.C., Energy
Conservation Cost Recovery.

DOCKET NO. 981103-EG
ORDER NO. PSC-99-0280-NOR-EG
ISSUED: February 11, 1999

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-17.015, Florida Administrative Code, relating to energy conservation cost recovery.

The attached Notice of Rulemaking will appear in the February 19, 1999 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at the following time and place:

Florida Public Service Commission
9:30 a.m., Friday, March 19, 1999
Room 148, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, no later than March 12, 1999.

DOCUMENT NUMBER-DATE

01805 FEB 11 99

FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 11th
day of February, 1999.

BLANCA S. BAYÓ, Director
Division of Records & Reporting

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

RCB

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NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 981103-EG

RULE TITLE:

RULE NO.:

Energy Conservation Cost Recovery 25-17.015

PURPOSE AND EFFECT: To allow Energy Conservation Cost Recovery factors to be determined on an annual, calendar year basis at one hearing.

SUMMARY: The time for annual proceedings are moved to November of each calendar year. The 12-month historical period for the true-up filing is changed from April 1 through March 31 to January 1 through December 31 each year.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Preparation of a SERC was found to be unnecessary.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY 350.127(2), 366.05(1), FS.

LAW IMPLEMENTED 366.04(2)(f), 366.06(1), 366.82(3) & (5), FS

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21

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DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:30 A.M., March 19, 1999

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:
Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6245.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-17.015 Energy Conservation Cost Recovery.

(1) The Commission shall conduct annual energy conservation cost recovery (ECCR) proceedings during November ~~the first quarter~~ of each calendar year. Each utility over which the Commission has ratemaking authority may seek to recover its costs for energy conservation programs. Each utility seeking cost recovery shall file the following at the times directed by the Commission:

(a) An annual final true-up filing showing the actual common costs, individual program costs and revenues, and actual total ECCR revenues for the most recent 12-month historical period from January 1 ~~April 1~~ through December 31 ~~March 31~~ that ends prior to

the annual ECCR proceedings. As part of this filing, the utility shall include a summary comparison of the actual total costs and revenues reported to the estimated total costs and revenues previously reported for the same period covered by the filing in paragraph (1)(b). The filing shall also include the final over- or under-recovery of total conservation costs for the final true-up period.

(b) An annual estimated/actual true-up filing showing eight months actual and four months projected common costs, individual program costs, and any revenues collected. Actual costs and revenues should begin January 1 ~~April 1~~ immediately following the period described in paragraph (1)(a). The filing shall also include the estimated/actual over- or under-recovery of total conservation costs for the estimated/actual true-up period.

(c) An annual projection filing showing 12 months projected common costs and program costs for the period beginning January 1 ~~April 1~~ following the annual hearing.

(d) An annual petition setting forth proposed energy conservation cost recovery factors to be effective for the 12-month period beginning January 1 ~~April 1~~ following the hearing. Such proposed cost recovery factors shall take into account the data filed pursuant to paragraphs (1)(a), (1)(b), and (1)(c).

(e) - (5)(c) No Change.

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Specific Authority 350.127(2), 366.05(1), FS.

Law Implemented 366.04(2)(f), 366.06(1), 366.82(3) & (5), FS.

History--New 1-27-81, Amended 12-30-82, 3-27-86, formerly 25-17.15,
Amended 8-21-90, 11-17-97, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lee Colson

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: February 2, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:
October 30, 1998

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least 48 hours prior to the hearing.

Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).