



GUNSTER
ATTORNEYS AT LAW

Writer's Direct Dial Number: (850) 521-1706
Writer's E-Mail Address: bkeating@gunster.com

June 28, 2021

BY E-PORTAL

Mr. Adam Teitzman
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 20200181-EU - In re: Proposed amendment of Rule 25-17.0021, F.A.C.,
Goals for Electric Utilities.

Dear Mr. Teitzman:

Attached for filing, please find Florida Public Utilities Company's Second Post Workshop Comments in the above referenced matter.

Thank you for your assistance with this filing. As always, please don't hesitate to let me know if you have any questions whatsoever.

Sincerely,

Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

MEK

cc: Margo Duval (Office of General Counsel)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-)	Docket No. 20200181-EU
17.0021, F.A.C., Goals for Electric Utilities.)	
_____)	Filed: June 28, 2021

POST WORKSHOP COMMENTS OF FLORIDA PUBLIC UTILITIES COMPANY

Florida Public Utilities Company (“FPUC”) hereby offers the following comments regarding the Florida Public Service Commission Staff’s proposed changes to Rule 25-17.0021, Florida Administrative Code (the “Rule”). At the outset, FPUC again commends Staff’s efforts to update the Rule, as well as the further helpful discussion had at the second workshop held on May 18, 2021. As stated in FPUC’s first post workshop comments, FPUC continues to believe that the amendments to the Rule, as proposed by Staff, are reasonable, productive revisions that provide a greater level of clarity as it relates to both the procedure and the analysis to be undertaken in the conservation goals setting process.

As it relates to the discussion of low-income programs, FPUC reiterates that it supports low-income programs. While FPUC does not have programs that are specifically designated for low-income customers, FPUC’s overall approach to outreach and education regarding conservation has a significant focus on its low-income customers. FPUC has long-recognized the need for targeted outreach for this customer segment, as well as the substantial benefits that can be derived by both customers and the Company by participation in conservation programs, particularly energy audits. FPUC continues to employ this customer-centric focus in its approach to conservation and the development of conservation programs, as facilitated by the current structure of the Rule. As such, at this time, FPUC does not believe that additional rule changes

are required to further enhance the Company's ability to provide access to conservation programs for its low-income customers.

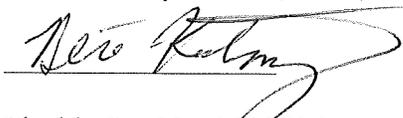
With regard to free ridership, FPUC does not believe changes need to be incorporated in the Rule specific to free ridership. Consideration of free ridership is key means of ensuring customers are not overpaying for conservation that would occur naturally, and avoiding subsidization of some customers' participation in programs by those that can ill-afford cost increases. The importance of early consideration of free ridership goes hand in hand with consideration of access and costs, particularly as it relates to the Company's low-income customers. On the other hand, utilizing the suggested Evaluation, Measurement, and Verification process ("EM&V") as an alternative to the historically utilized two-year payback criteria would seem to present a less definitive means of determining the impact of free ridership, while also increasing – perhaps significantly – the costs and challenges of analyzing free ridership in the goal setting process. On balance, any benefits that might be associated with this approach appear to be outweighed by the associated challenges and costs.

Finally, FPUC does not believe that changes to the way the Commission evaluates the cost effectiveness of conservation programs, including use of the Utility Cost Test, are necessary or prudent at this time given the limited information available on the cost and rate impacts that may be associated with such changes. As noted, FPUC remains concerned about the overall costs that will be passed on to its general body of ratepayers, including its low-income customers. The Commission's current application of the cost-effectiveness tests have proven to be an accurate indicator of the impact on customer rates. Making changes and/or additions to the long-standing process risks a lessening of the overall

consideration of the impact on customer rates, while also potentially increasing the costs of establishing goals and developing programs. FPUC respectfully urges the Commission to further explore the potential for additional cost and rate impacts before implementing any changes to the Rule that would either reduce the weight given to the RIM Test, or requiring the use of additional cost-effectiveness tests.

Overall, the changes proposed by Commission Staff will result in a clearer Rule and a streamlined process that will, FPUC expects, not only enhance the data points available for the purpose of setting goals, but also improve the utility's ability to develop programs that meet those goals. As such, FPUC fully supports the Commission Staff's proposed changes and suggests that no additional changes are necessary at this time.

Respectfully submitted this 28th day of June, 2021,

By: 

Florida Bar No. 0022756
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706
bkeating@gunster.com

*Attorneys for Florida Public Utilities
Company*