

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Adoption of Numeric)
Conservation Goals and)
Consideration of National Energy)
Policy Act Standards (Section)
111) by:)
)
)

FLORIDA POWER & LIGHT COMPANY) DOCKET NO. 930548-EG
FLORIDA POWER CORPORATION) DOCKET NO. 930549-EG
GULF POWER COMPANY) DOCKET NO. 930550-EG
TAMPA ELECTRIC COMPANY) DOCKET NO. 930551-EG
) ORDER NO. PSC-93-1831-PCO-EG
) ISSUED: December 27, 1993

ORDER DENYING MOTION FOR RECONSIDERATION FILED BY CITY GAS

On November 29, 1993, City Gas Company of Florida (City Gas) filed a motion for reconsideration of Order No. PSC-93-1697-PCO-EG, issued in this docket on November 19, 1993. In its motion City Gas asks that the Prehearing Officer reconsider that portion of Order No. PSC-93-1679-PCO-EG relating to gas measures as R & D, and require electric utilities to include gas DSM measures in their goal setting proposals "on the same basis as other DSM programs."

In its motion City Gas states that it "is willing to cooperate with Florida Power and Light Company to implement a pilot program with the potential for near term results." City Gas also asks that a modest goal be set for such a cooperative program. The pilot program described by City Gas in its motion is precisely the type of program that I envisioned in classifying gas measures as "expedited R & D." It does not appear that the relief requested by City Gas is incompatible with the Order as issued.

I would also refer City Gas to page ten (10) of Order No. PSC-93-1679-PCO-EG. There I point out that the Order is procedural in nature, and that "screening" of programs relates to information and analysis the utilities will be required to provide to the parties to this docket. The Order does not eliminate any DSM program, including any gas program from the Commission's consideration at the hearing in this docket. As I stated in Order No. PSC-93-1679-PCO-EG:

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FPSC-RECORDS/REPORTING

Any party that wishes to present its own analysis on the cost-effectiveness and market penetration of specific measures is free to do so. The cost-effectiveness and market penetration analysis on those measures not evaluated by the IOUs may be presented through testimony at the hearings scheduled for June of 1994.

It is, therefore,

ORDERED by Chairman J. Terry Deason, as Prehearing Officer, that the Motion For Reconsideration filed by City Gas Company of Florida on November 29, 1993, is hereby denied.

By ORDER of Chairman J. Terry Deason, as Prehearing Officer, this 27th day of December, 1993.


J. TERRY DEASON, Chairman and
Prehearing Officer

(S E A L)
MAP:bmi

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

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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.