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MEMORANDUM

FEBRUARY 9, 1998

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FPSC - Records Reporting

TO: DIVISION OF RECORDS AND REPORTING  
FROM: DIVISION OF LEGAL SERVICES (JAYE) *RUÉ*  
RE: DOCKET NO. 971256-EI - PETITION FOR APPROVAL OF PREMIUM LIGHTING AND RECREATIONAL LIGHTING SERVICE RATE SCHEDULES AND AGREEMENTS BY FLORIDA POWER & LIGHT COMPANY

98-0260-EDF-EI

Attached is an ORDER GRANTING PETITION FOR APPROVAL OF PREMIUM LIGHTING AND RECREATIONAL LIGHTING SERVICE RATE SCHEDULES AND AGREEMENTS, with attachments, to be issued in the above referenced docket. (Number of pages in order - 4)

GAJ/js

Attachment

cc: Division of Electric and Gas (Draper, Wheeler)

I:971256or.gaj

*See 1 ✓*

*for a-  
would ✓*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of premium lighting and recreational lighting service rate schedules and agreements by Florida Power & Light Company

DOCKET NO. 971256-EI  
ORDER NO. PSC-98-0260-FOF-EI  
ISSUED: February 9, 1998

The following Commissioners participated in the disposition of this matter:

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

ORDER GRANTING PETITION FOR APPROVAL OF PREMIUM LIGHTING AND RECREATIONAL LIGHTING SERVICE RATE SCHEDULES AND AGREEMENTS

BY THE COMMISSION:

On September 26, 1997 Florida Power & Light Company (FPL) filed a petition for approval of Premium Lighting (PL) and Recreational Lighting (RL) service rate schedules and agreements. FPL currently offers Street Lighting and Outdoor Lighting service (rate schedules SL-1 and OL-1). The PL and RL rate schedules are intended to offer customers fixtures and poles that are not available under the SL-1 and OL-1 rate schedules. FPL stated that customers had been requesting a greater variety of decorative fixtures and poles and that the current lighting schedules do not provide sufficient variety in fixtures and poles. The customer will be required to sign an agreement for a minimum term of 20 years. Should the customer choose to terminate service early, the customer will be required to pay a termination fee.

At the November 18, 1997 Agenda Conference, we suspended the proposed tariff to provide additional time for investigation.

In addition to offering customers a greater choice of poles and fixtures, the PL and RL rate schedules expand the area of application. The current SL-1 tariff is available for streets and

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roadways only, and does not apply to municipally or privately-owned parking lots, parks and recreational areas. The OL-1 tariff is available for outdoor security lighting of yards or walkways. The PL rate will be available for streets and common areas such as parks and parking lots. The RL rate will be available to community recreational areas such as football fields.

By expanding its service, FPL will be directly competing with private contractors. The customer has the choice of buying the pole and fixture from a private contractor or renting from FPL. Should the customer choose a contractor to provide the lighting facilities, FPL will provide the energy only.

The energy charge for the PL rate was developed by multiplying the non-fuel energy rate of 2.480 cents per kWh, which has been approved for FPL's existing SL-1 tariff, by the estimated monthly kWh usage of each of the lights. Because street lights are not metered, the estimated usages are based on the wattages of the lamps and an average burn time estimate. Under the RL tariff, which will be available to recreational areas such as sports fields, service will be metered and the otherwise applicable general service rate will apply.

Under both the PL and RL rate schedules the customer has the option of paying for the fixtures in full, over 10 years, or over 20 years. The monthly facilities or fixture charge, which represents the rental charge for the fixture, is designed to recover the present value requirements over either a 20 year or a 10 year term. The tariff states that the maintenance charge will be estimated, but FPL provided workpapers showing how generic maintenance factors will be developed. The developed maintenance factor will be multiplied against total work order cost to produce the monthly maintenance charge. Total work order cost consists of labor, materials, and other costs and will be determined using the same methodology for each customer.

This is an optional tariff offering intended to meet the specific needs of customers who desire a greater variety in poles and fixtures. We believe that FPL will recover the cost of its poles and fixtures offered under the proposed rate schedules. FPL's other ratepayers will not be harmed by this proposal. Therefore we find that FPL's petition for approval of premium lighting and recreational lighting service rate schedules and agreements should be approved. To monitor the operation of this tariff, FPL shall file quarterly reports listing the customers who

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take service under the PL and under the RL rate schedule, all the rates FPL charges those customers, and the types of fixtures and poles rented by the customers.

Based on the foregoing, it is

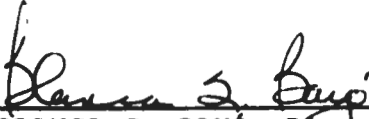
ORDERED by the Florida Public Service Commission that Florida Power and Light's petition for approval of premium lighting and recreational lighting service rate schedules and agreements is approved, effective January 20, 1998. It is further

ORDERED that Florida Power and Light Company shall file quarterly reports listing the customers who take service under the PL and under the RL rate schedule, the rates paid by those customers, and the types of fixtures and poles rented by the customers. It is further

ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirements set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 9th day of February, 1998.

  
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BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

GAJ

Chairman Johnson dissents.

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on March 2, 1998.

In the absence of such a petition, this Order shall become final on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this Order becomes final on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the date this Order becomes final, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.