

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for extension of  
Commercial/Industrial New  
Construction Research Project by  
Florida Power & Light Company.

DOCKET NO. 990733-EI  
ORDER NO. PSC-99-1852-PAA-EI  
ISSUED: September 20, 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 PROPOSED AGENCY ACTION  
ORDER GRANTING EXTENSION OF COMMERCIAL/INDUSTRIAL  
NEW CONSTRUCTION RESEARCH PROJECT

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On October 4, 1996, Florida Power & Light Company (FPL) filed a petition requesting approval of a proposed Commercial/Industrial (C/I) New Construction Research Project as part of FPL's Demand Side Management Plan. FPL anticipated that site selection, equipment installation, monitoring, and analysis of the proposed research project would take approximately 22 to 30 months at a projected cost of \$1,525,000. By Order No. PSC-97-0091-FOF-EI, issued January 27, 1997, we approved FPL's C/I New Construction Research Project, including conservation cost recovery. The Order stated that "[i]f FPL becomes aware that the program is no longer cost-effective, FPL shall terminate the program." Under the approved schedule, the research project would last for no longer than 30 months from the date of approval. Therefore, the project was scheduled to end in August 1999.

DOCUMENT NUMBER-DATE

11257 SEP 20 99

FPSO-RECORDS/REPORTING

ORDER NO. PSC-99-1852-PAA-EI  
DOCKET NO. 990733-EI  
PAGE 2

On June 8, 1999, FPL filed a petition for an extension of the C/I New Construction Research Project through December 2000, with no change to the previously approved expenditure cap of \$1,525,000. Granting FPL's request would extend the project for 16 months.

The objectives of the C/I New Construction Research Project are to identify conservation opportunities in new construction which would provide cost-effective efficiencies beyond that required by the Florida Energy Efficiency Code and to evaluate the impacts of those potential measures. The Project also provides an opportunity to interest architectural and engineering consultants, building owners and managers, manufacturers, and contractors in the potential of a new construction program.

FPL stated that it envisioned the C/I New Construction Research Project would take approximately 30 months. However, according to FPL, it encountered delays in the Project in its selection of a contractor to perform the work and in its negotiation of a contract that would allow FPL to terminate the Project at any point FPL determined that the Project was not cost effective.

Through its petition, FPL requests an extension of the original schedule, which is due to end in August 1999. FPL also requests that the expenditure cap of \$1,525,000 remain the same as that approved in Order No. PSC-97-0091-FOF-EI. FPL has indicated that total expenditures through June 1999 for the C/I New Construction Research Project are \$258,402.

We find that FPL's petition to extend its C/I New Construction Research Project through December 2000 is reasonable and should be granted. We approve the continued conservation cost recovery of reasonable and prudent expenditures for the Project of not more than \$1,525,000.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Power & Light Company's petition for extension of its Commercial/Industrial New Construction Research Project through the end of December 2000 is granted. It is further

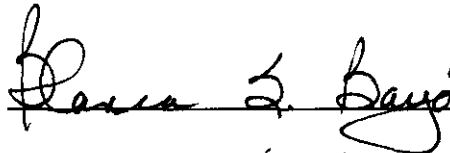
ORDER NO. PSC-99-1852-PAA-EI  
DOCKET NO. 990733-EI  
PAGE 3

ORDERED that Florida Power & Light Company may recover, through the conservation cost recovery clause, reasonable and prudent expenditures for its Commercial/Industrial New Construction Research Project not to exceed a total of \$1,525,000 for the entire Project. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 20th day of September, 1999.



BLANCA S. BAYÓ, Director  
Division of Records and Reporting

( S E A L )

WCK

ORDER NO. PSC-99-1852-PAA-EI  
DOCKET NO. 990733-EI  
PAGE 4

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 that is available under Section 120.57, 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 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 action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, 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 October 11, 1999.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

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.