

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL
COPY

In re: Conservation Cost
Recovery Clauses of Electric
Companies

Docket No. 970002-EU

Filed: April 17, 1997

LEGAL ENVIRONMENTAL ASSISTANCE FOUNDATION INC.
PETITION FOR INTERVENTION

Legal Environmental Assistance Foundation, Inc. (LEAF),
pursuant to Rule 25-22.038, Florida Administrative Code (FAC),
petitions to intervene in the above-captioned docket and states:

1. LEAF is located at 1115 North Gadsden Street, Tallahassee,
Florida 32303.

2. Persons to be served with copies of documents in this
docket are:

Debra Swim/Gail Kamaras
Legal Environmental Assistance Fdn.
1115 N. Gadsden Street
Tallahassee, FL 32303

Mollie Lampi
Pace University Energy Project
122 S. Swan Street
Albany, NY 12110

ACK _____
AFA 2 3. LEAF is a public interest advocacy organization whose
APP _____ corporate purposes include protection of public health and the
CAF _____ environment. The Commission action in this docket will
CMU _____
CTR _____
EAG Balmer utilities deliver demand side resources to their customers and the
LEG 2 degree to which those utilities use clean renewable energy to meet
LIN 3
OPC _____ their customers' need for energy services. The Commission action
RCH _____ will also determine how effectively associated energy savings are
SEC 1 monitored and will affect assessment of compliance with Commission-
WAS _____ DOCUMENT NUMBER-DATE
OTH _____

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set conservation goals.

4. LEAF has a substantial interest in the Commission's review of electric utility energy conservation expenditures and in securing the environmental and health benefits of increased efficiency in the delivery of energy services and increased use of clean renewable energy to meet energy service needs.

5. A substantial number of LEAF's members use and enjoy the natural resources whose quality is placed at risk by construction and operation of power plants that may result from increased electricity sales or increased use of more polluting energy generation options rather than energy efficiency and clean renewable energy. A substantial number of LEAF members are customers of the subject utilities whose energy service bills are substantially affected by the utilities' conservation and efficiency efforts, as well as the selection of capacity supply options.

6. LEAF participated in the PSC dockets to review utility DSM Plans (FPSC Docket Nos. 941170-941173), whose expenditures are now undergoing review. LEAF entered into settlement stipulations with Florida Power & Light, Florida Power Corp., Gulf Power Co. and Tampa Electric Co. relating to those Plan filings which were approved by the Commission. (Order Nos. PSC-95-1343-S-EG - PSC-95-1346-S-EG Nov. 1, 1995). The utilities agreed to provide certain information to be used for monitoring and evaluation of their programs.

7. At issue is the adequacy of utility DSM monitoring and

evaluation activities and reporting and whether the Commission is appropriately reviewing utility DSM programs in light of that information. LEAF reserves the right to raise or dispute additional issues.

8. The following statutes and rules entitle LEAF to relief: Rules 25-22.029 and 25-22.036 FAC; Chapters 120 and 366, Florida Statutes. LEAF reserves the right to rely on additional legal authority.

WHEREFORE, LEAF respectfully requests to be allowed to intervene as a party to this proceeding.

Respectfully submitted,

Debra Swim

Debra Swim, Attorney
Legal Environmental Assistance
Foundation, Inc. (LEAF)
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Legal Environmental Assistance Foundation, Inc. (LEAF) Petition to Intervene has been furnished by hand delivery (as indicated) or by U.S. Mail to the following parties of record this 17th day of April 1997.

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