

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Determination of Appropriateness of Allocating Electric Utility Sponsored DSM Program Costs to Rate Classes Eligible to Participate in Such Programs

Docket No. 970046-EI

Filed: May 14, 1997

LEGAL ENVIRONMENTAL ASSISTANCE FOUNDATION INC.  
PETITION FOR INTERVENTION

Legal Environmental Assistance Foundation, Inc. (LEAF), pursuant to Rule 25-22.036, 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 \_\_\_\_\_  
 APP \_\_\_\_\_  
 CAF \_\_\_\_\_  
 CMU \_\_\_\_\_  
 CTR \_\_\_\_\_  
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 LEG 1  
 LIN 5  
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 SEC 1  
 WAS \_\_\_\_\_  
 OTH \_\_\_\_\_

3. LEAF is a public interest advocacy organization whose corporate purposes include protection of public health and the environment. The Commission action in this docket will substantially influence what levels of cost-effective demand-side management (DSM) programs will be delivered to utility customers. The Commission action will also affect the ability of utilities to comply with Commission-set conservation goals.

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4. LEAF has a substantial interest in electric utility energy conservation programs and in securing the environmental and health benefits of increased efficiency in the delivery of energy services.

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 benefitted by the utilities' conservation and efficiency efforts.

6. At issue is the appropriateness of treating DSM programs below a level of 1.2 cost-effectiveness under the Rate Impact Measure (RIM) test as less beneficial to the general body of ratepayers and of treating alleged competitive effects of such programs as requiring cost allocation by customer class. LEAF reserves the right to raise other issues.

7. 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,

*Gail Kamaras*

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Gail Kamaras, Esq.  
Legal Environmental Assistance  
Foundation, Inc. (LEAF)  
1115 N. Gadsden Street  
Tallahassee, FL 32303

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 to Leslie Paugh, Esq., Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL, 32301 and by U.S. Mail to the following parties of record this 14th day of May 1997.

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