

ORIGINAL

DOCKET NO. 971626-EU

CERTIFICATION OF  
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES  
FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

(a) Are filed not more than 90 days after the notice;

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or

(b) Are filed not more than 90 days after the notice

not including days an administrative determination was pending;

or

(c) Are filed more than 90 days after the notice, but

not less than 21 days from the date of publication of the notice

of change; or

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FP&C-RECORDS/REPORTING

✓/ (d) Are filed more than 90 days after the notice, but within 21 days after the adjournment of the final public hearing on the rule; or

✓/ (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

✓/ (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

✓/ (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No.

25-17.006

Under the provision of subparagraph 120.54(3)(e)6., F.S.,  
the rules take effect 20 days from the date filed with the  
Department of State or a later date as set out below:

Effective: \_\_\_\_\_  
(month) (day) (year)

  
\_\_\_\_\_  
BLANCA S. BAYÓ, Director  
Division of Records & Reporting

\_\_\_\_\_  
Number of Pages Certified

( S E A L )

MAH

1 25-17.006 Electric Utility System Conservation End Use Data

2 (1) PURPOSE: The purpose of this rule is to provide for  
3 the periodic submission of certain conservation information and  
4 other related information to the Commission. Applications of  
5 this rule include:

6 (a) Gathering information to review and revise conservation  
7 goals pursuant to Rule 25-17.0021, F.A.C.:

8 (b) Gathering information to estimate the potential  
9 kilowatt hour (KWH) and kilowatt demand (KW) savings achievable  
10 through various conservation measures and conservation  
11 technologies; and

12 (c) Gathering information to enable the Commission to  
13 analyze conservation alternatives to mitigate the need to  
14 construct new power plants in Florida.

15 (2) APPLICABILITY: This rule shall apply to all electric  
16 utilities that fall under the definition of "utility" in Section  
17 366.82(1), Florida Statutes.

18 (3) SURVEY YEAR: In order to accomplish the purpose of  
19 this rule, starting with calendar year 1998 and every four years  
20 thereafter, 1,350 residential customer accounts throughout  
21 Florida shall be surveyed to collect information on appliance  
22 stock, housing characteristics, household demographic  
23 characteristics, and twelve months of kilowatt hour billing  
24 history.

25 (4) METHODOLOGY: For the purposes of obtaining the data

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1 described in subsection (3), each utility shall interview its  
2 proportionate share of residential customers to yield a total of  
3 1,350 usable, complete observations for the state.

4 (a) By November 1st prior to the survey year each utility  
5 shall provide to the Director of the Division of Electric and Gas  
6 its total number of residential customers of record as of June  
7 30th prior to the survey year.

8 (b) By January 15 of the survey year the Director of the  
9 Division of Electric and Gas shall allocate the number of  
10 customer accounts for which each utility must conduct a field  
11 interview based on the information submitted pursuant to  
12 paragraph (4) (a).

13 (5) By January 15th of the survey year, the Commission  
14 shall prescribe the survey instrument each utility must use to  
15 gather the information on appliance stocks, housing  
16 characteristics, household demographic characteristics, and  
17 twelve months of KWH billing history. Nothing in this paragraph  
18 shall be construed to prohibit an electric utility from adding  
19 additional questions to its own survey.

20 (6) Each utility shall draw a random sample of residential  
21 customers who meet the following requirements:

22 (a) Customers must be customers of record as of July 1st of  
23 the survey year.

24 (b) Customers must have been continuously billed during  
25 each month of the 12-month period starting July 1st of the year

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1 prior to the survey year.

2 (c) Seasonal customers billed in accordance with paragraph  
3 (6) (b) may be counted toward the required number of sample  
4 customers.

5 (d) Each utility shall make at least four attempts to  
6 arrange a survey interview with each customer drawn from its  
7 random sample of customer accounts. Each utility must make  
8 attempts to arrange survey interviews during evenings and  
9 weekends. Evening and weekend field interviews shall be  
10 conducted for those customers normally not available during  
11 weekdays from 8:00 a.m. to 5:00 p.m. Only after four attempts to  
12 arrange an interview have been made shall another customer be  
13 drawn at random from the utility's list of customers.

14 (7) RESULTS: Each utility shall report the survey  
15 information and billing history on each individual respondent to  
16 the Commission on or before December 1st of the calendar year in  
17 which the survey is conducted. This information shall be  
18 reported such that no individual customer's identity can be  
19 determined. The information reporting format shall be prescribed  
20 by the Director of the Division of Electric and Gas prior to  
21 April 1st of the survey year. The medium for reporting the  
22 information shall be a three and one-half inch computer diskette  
23 using an ASCII delimited database structure unless another medium  
24 is approved in writing by the Director of the Division of  
25 Electric and Gas.

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1 Specific Authority: 366.05(1), 350.127(2), F.S.  
2 Law Implemented: 366.05(1), 366.82~~(2)~~, F.S.  
3 History: New 6/14/82, formerly 25-17.06, Amended 2/21/85,  
4 9/7/87, 5/10/93, 3/7/94, \_\_\_\_\_.

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**SUMMARY OF RULE**

- Subsection (1): Sets out the purpose of the rule.
- Subsection (2): Sets out the applicability of the rule.
- Subsection (3): Describes the survey year.
- Subsection (4): Sets out the survey methodology.
- Subsection (5): Describes the survey and Commission responsibilities.
- Subsection (6): Prescribes the random sample requirements.
- Subsection (7): Sets out the requirements for reporting the survey results.

**SUMMARY OF HEARINGS ON THE RULE**

No hearing was requested and none was held.

**FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE**

The amendments to Rule 25-17.006, Florida Administrative Code, substantially rewrite and reorganize the rule to make it easier to understand.

Rule 25-17.006, F.A.C., requires electric utilities to survey their customers to collect certain conservation information. One of the purposes of the prior version of the rule was "to monitor the effectiveness of the Florida Model Energy Efficiency Code, developed under s. 553.900, et seq., F.S. . . ." Rule 25-17.006(1)(c), F.A.C. Because the Commission does not monitor or enforce any building code standards, the

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remove this provision from the rule. The amendments also strike subsection (3) from the prior version of the rule, which was intended to measure the effectiveness of the thermal building code.

During the 1996 legislative session, the number of electric utilities required to comply with the "Florida Energy Efficiency and Conservation Act" (FEECA), Sections 366.80-366.85, Florida Statutes, was reduced. Accordingly, the applicability subsection of the rule must be modified to reflect this statutory change. The amendments tie the applicability "to all electric utilities that fall under the definition of 'utility' in Section 366.82(1), Florida Statutes," instead of tying it to the amount of electric energy sales as in the prior version of subsection (2) of the rule.

Under the prior version of the rule, 1,350 customers in each of the four Florida climatic zones must be surveyed every four years. The amendments reduce this number to 1,350 customers for the state as a whole. Due to the advent of personal computers and improved climatological data bases, a much smaller sample is necessary to achieve the same level of accuracy. Since the sample is substantially reduced by the proposed amendments, the length of the survey period is also reduced by four months. This will get the data to the Commission more quickly.

In addition, the amendments specifically require a random sample be drawn from each utility's customer base. The

amendments also require utilities to make evening and weekend attempts to contact a selected customer to ensure a representative sample that includes customers who work full time during the week days.