Jessica Cano
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420
(561) 304-5226
(561) 691-7135 (Facsimile)

January 14, 2011

110031-EG

VIA HAND DELIVERY
Ms. Ann Cole
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
Betty Easley Conference Center
2540 Shumard Oak Boulevard, Room 110
Tallahassee, FL 32399-0850

Re: Florida Power & Light Company's Petition for Approval of Residential Service Dynamic Price Response Pilot Rate

Dear Ms. Cole:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") are an original and seven (7) copies of its Petition for Approval of Residential Service Dynamic Price Response Pilot Rate, together with Appendix A and Appendix B.

Also enclosed is a compact disc containing FPL's Petition and Appendix A in Microsoft Word format. Please contact me should you or your staff have any questions regarding this filing.

Sincerely,

Jessica Cano

Jessica Cano

Enclosures

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Florida Power & Light Company's)	Docket No. 110031-EG
Petition for Approval of Residential Service)	
Dynamic Price Response Pilot Rate)	Filed: January 14, 2011

PETITION FOR APPROVAL OF RESIDENTIAL SERVICE DYNAMIC PRICE RESPONSE PILOT RATE

Florida Power & Light Company ("FPL"), by and through undersigned counsel, pursuant to Rules 25-6.033(4) and 28-106.201, Florida Administrative Code, respectfully requests that the Florida Public Service Commission (the "Commission") approve its proposed Residential Service Dynamic Price Response Pilot Rate ("Pilot Rate") and the associated tariff sheets (FPL's Sixth Revised Sheet No. 8.220 and Original Sheet No. 8.030.2) and authorize FPL to administer through the Energy Conservation Cost Recovery ("ECCR") clause the proposed Pilot Rate. In support of this petition, FPL states as follows:

1. FPL is a public utility subject to the jurisdiction of the Commission pursuant to Chapter 366 of the Florida Statutes. FPL's headquarters are located at 700 Universe Boulevard, Juno Beach, Florida 33408. Any pleading, motion, notice, order or other document required to be served upon FPL or filed by any party to this proceeding should be served upon the following individuals:

R. Wade Litchfield, Vice President
and General Counsel
Wade.Litchfield@fpl.com
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
561-691-7101
561-691-7135 (fax)

Jessica A. Cano,
Principal Attorney
Jessica.Cano@fpl.com
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408
561-304-5226
561-691-7135 (fax)

2. This Petition seeks to initiate proceedings pursuant to Rule 28-106.201, Florida Administrative Code. The agency affected is the Florida Public Service Commission, located at 2540 Shumard Oak Blvd, Tallahassee, FL 32399. This case does not involve reversal or modification of an agency decision or an agency's proposed action. Therefore, subparagraph (c) and portions of subparagraphs (e), (f) and (g) of subsection (2) are not applicable to this Petition. In compliance with subparagraph (d), FPL states that it is not known which, if any, of the issues of material fact set forth may be disputed by others planning to participate in the proceeding initiated by this Petition. All other requirements for petitions filed under Rule 28-106.201 are satisfied herein.

3. FPL is required to seek Commission approval of any new rates or tariff sheets. *See* Rule 25-6.033(4), Fla. Admin. Code. Further, approval of the proposed Pilot Rate and tariff sheets is necessary for FPL to fully implement its Energy Smart Florida ("ESF") In-Home Technology Project ("the Project"), in fulfillment of FPL's commitment to the Department of Energy ("DOE") to pursue the Project as proposed in FPL's ESF grant application. Accordingly, FPL has a substantial interest in whether the Commission approves FPL's Pilot Rate, approves the proposed tariff sheets, and authorizes administration of the Pilot Rate through the ECCR clause.

BACKGROUND AND DESCRIPTION OF THE ESF IN-HOME TECHNOLOGY PROJECT

4. On March 30, 2010, the DOE awarded FPL a $200 million grant from the American Recovery and Reinvestment Act ("ARRA") stimulus funds for its ESF proposal. FPL committed to pursue the Project as part of its ESF proposal, and is filing this petition for approval of the Pilot Rate to fulfill that commitment. The Project itself is designed to align with the funds provided by the grant. Accordingly, the grant will fund planned Project expenses

associated with project management, marketing, equipment purchase and installation, customer support, billing, impact evaluation and decommissioning for the initial Project term.

5. The purpose of the Project is to study the technical feasibility, economic merit, and customer acceptance of emerging, smart-grid enabled dynamic pricing and consumer technologies. Specifically, the Project will help FPL study how dynamic pricing coupled with real-time energy information and different customer load reduction capabilities impact peak load and energy use. This information will help FPL to better understand its customers' needs and some of the potential products and services that could be offered to all residential customers as the smart grid infrastructure is fully deployed.

6. FPL proposes to engage 500 participants in four different categories reflecting different combinations of real-time information, electric rates, and demand response capabilities, as follows:

- FPL will provide 250 customers with in-home displays ("IHDs") providing real-time energy use information, who will remain on the standard RS-1 residential rate;
- FPL will provide 120 customers with Home Energy Controllers ("HECs") which allow customers to monitor their home's energy usage and cost, as well as monitor the energy use of selected appliances or schedule their operation, who will remain on the standard RS-1 rate;
- FPL will provide 120 customers with HECs that notify customers of dynamic price events and enable selected appliances to respond in a programmatic manner to dynamic price signals, who will take service pursuant to the proposed Residential Service Dynamic Price Response Pilot Rate ("RSDPR-1"); and
- FPL will provide 10 customers with HECs as well as Smart Appliances, which can conserve energy and reduce load in innovative ways, who will take service pursuant to the proposed RSDPR-1 rate.

Participants will be recruited at random from technically eligible homes, and participation will be voluntary. The term of the Project will be approximately 27 months, beginning with marketing and enrollment of non-RSDPR-1 rate participants in January 2011, and the enrollment of

RSDPR-1 rate participants in April 2011. The Project will conclude in April 2013. The Project is described in detail in Appendix A to this petition, which is attached hereto and incorporated herein by reference.

THE PILOT RATE

7. The proposed Pilot Rate is an important component of the Project. As stated in the DOE's ARRA Financial Assistance Funding Opportunity Announcement issued on June 25, 2009, the DOE is "interested in advanced metering projects" and is "most interested in projects that involve some form of real time pricing or critical peak pricing" (pages 22-23). The announcement further states that the DOE may withhold some or all of the grant funds for such a program until regulatory approval is obtained (page 24). FPL is hereby seeking approval of the Pilot Rate and the related tariff sheets and its implementation through the ECCR clause.

8. The proposed Pilot Rate is a two-tier dynamic rate, consisting of a base or "all hours" energy charge and a higher "critical peak pricing" ("CPP") charge that will be applicable during times of peak demand that FPL designates as critical peak hours. For most participants, the "all hours" energy charge is lower than the RS-1 rate. The CPP charge, on the other hand, is much higher than the RS-1 rate and is designed to encourage a reduction in energy usage during those critical peak periods. FPL may designate a critical peak period, and apply the higher CPP charge, up to 88 hours a year. To ease the administration of the rate, this dynamic rate structure will be achieved by crediting (for the all hours rate) and charging (for the critical peak hours rate) participating customers through the ECCR clause. The proposed rate design and applicable Customer Charge is described in more detail in Appendix A, which is attached hereto and incorporated herein by reference. FPL will provide an annual report on the Project and the Pilot Rate to the Commission, as well as a final report at the conclusion of the Project.

TARIFF APPROVAL

9. FPL proposes to implement the Pilot Rate through its Sixth Revised Sheet No. 8.220, titled "RESIDENTIAL SERVICE – DYNAMIC PRICE RESPONSE (OPTIONAL PILOT)" and Original Sheet No. 8.030.2, titled "ECCR FACTORS – DYNAMIC PRICE RESPONSE PILOT." These tariff sheets are attached in clean and legislative format to FPL's Petition as Appendix B. Prior to the completion of the term proposed for this Project, FPL may seek Commission approval for continuation or modification of the Pilot Rate and the related tariff sheets, or may terminate the Project and Pilot Rate at the completion of the initial term.

CONCLUSION

10. The ESF In-Home Technology Project and the proposed Pilot Rate will enable the data collection necessary to evaluate residential customers' responses to a dynamic pricing structure designed to encourage peak load reduction, and the technical and economic feasibility of emerging technologies. The proposed Pilot Rate will also fulfill the terms established by the DOE for receipt of the ARRA grant. For all the foregoing reasons, the Commission should approve the Pilot Rate, tariff sheets, and implementation of the Pilot Rate through the ECCR clause as proposed.

WHEREFORE, FPL respectfully requests that the Commission: (i) approve FPL's Pilot Rate and the tariff sheets contained in Appendix B for the term described herein; (ii) authorize FPL to administer through the ECCR clause the proposed Pilot Rate; and (iii) grant such other relief as may be appropriate. Further, FPL respectfully requests that the Commission review and approve the Pilot Rate in time for FPL to begin marketing and enrolling Pilot Rate participants in April 2011.

Respectfully submitted this 14th day of January, 2011.

Jessica A. Cano
Principal Attorney
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, Florida 33408-0420
(561) 304-5226
(561) 691-7135 (fax)

By: Jessica Cano
Jessica A. Cano
Florida Bar No. 0037372

APPENDIX A

Energy Smart Florida In-Home Technology Project

Project Purpose – The purpose of FPL's Energy Smart Florida ("ESF") In-Home Technology Project ("the Project") is to study the technical feasibility, economic merit and customer acceptance of emerging smart-grid enabled consumer technologies and dynamic pricing. In part, the Project will help FPL study how smart meter-enabled dynamic pricing combined with real-time energy information and load reduction enablement impact peak load and energy use. FPL will also collect data on customer satisfaction, conservation behaviors adopted and long-term customer acceptance of the Project approach. The proposed Project involves emerging technologies and pricing concepts, which are unfamiliar to customers and have unknown impacts. FPL believes that a field test will provide a reliable basis for evaluating their technical feasibility, energy and demand impacts, support costs and customer acceptance.

FPL submitted a grant proposal to the U.S. Department of Energy ("DOE"), pursuant to the American Recovery and Reinvestment Act ("ARRA"), referred to as Energy Smart Florida ("ESF"), which was awarded on March 30, 2010 (DE – OE0000211). One component of ESF is for FPL to evaluate 500 homes equipped with a new generation of smart grid-enabled energy communication and control technologies.

Project Description – To study the technical feasibility, economic merit and customer acceptance of emerging smart-grid enabled technologies and dynamic pricing, FPL will

use the capabilities of its smart meters to provide participants real-time energy and price information and text messages, and to collect interval demand and energy data. Table 1 below details the distribution of the 500 Project homes across four combinations of technology and rates.

Table 1: Distribution of Project Participants by Technology and Rate

Technology / Rate	In-Home Displays (IHD) 250 homes	Home Energy Controllers (HEC) 240 homes	HEC and Smart Appliances 10 homes
Standard Rate RS-1	Group 1 250 homes	Group 2 120 homes	N/A
Proposed Dynamic Price Response Pilot Rate RSDPR-1	N/A	Group 3 120 homes	Group 4 10 homes

- **Group 1:** FPL will provide 250 customers with in-home displays ("IHDs") providing real-time energy use information, who will remain on the standard RS-1 residential rate;

- **Group 2:** FPL will provide 120 customers with Home Energy Controllers ("HECs") which allow customers to monitor their home's energy usage and cost, as well as monitor the energy use of selected appliances or schedule their operation, who will remain on the standard RS-1 rate;

- **Group 3**: FPL will provide 120 customers with HECs that notify customers of dynamic price events and enable selected appliances to respond in a programmatic manner to dynamic price signals, who will take service pursuant to the proposed Residential Service Dynamic Price Response Pilot Rate ("RSDPR-1"); and

- **Group 4:** FPL will provide 10 customers with HECs as well as Smart Appliances, which can conserve energy and reduce load in innovative ways, who will take service pursuant to the proposed RSDPR-1 rate.

The experimental design shown in Table 1 will allow FPL to determine the effects of four combinations of technology and electric rates. Note that only Groups 3 and 4 employ

FPL's proposed Pilot Rate, RSDPR-1. In addition to the 500 Project homes, a control group of 250 randomly selected homes will be used for comparative purposes. While the occupants of the control group homes will be asked to respond to a short survey regarding their home's appliances, they will remain on FPL's RS-1 rate and will not receive any technology.

All Project homes will be located in the Project area within Broward County. The Project area was selected because the maturity of FPL's smart meter deployment in the area can provide more baseline data, and it will allow the evaluation of impacts from weather conditions experienced by many FPL customers.

Description of Proposed Dynamic Price Response Pilot Rate – The RSDPR-1 is in the general class of dynamic rates known as Critical Peak Pricing (CPP). According to the Federal Energy Regulatory Commission, "dynamic pricing refers to prices that are not known with certainty ahead of time."[1] In the case of CPP, prices during certain periods are known ahead of time, "but the days on which those prices will occur are not known until the day before or the day of consumption."[2]

FPL has proposed a two-tier dynamic rate that is consistent with FERC's definition of a dynamic rate, and simplifies and highlights the effect of dynamic pricing on customer behavior in order to measure customer and system impacts. Under FPL's proposed RSDPR-1 rate, participants would buy discounted energy at least 99% of the time. FPL

[1] Federal Energy Regulatory Commission, "A National Assessment of Demand Response Potential" June 2009, page ix, footnote 3.
[2] *Id.*

may use up to 1% of the time for dynamic-price events called Conservation Price Hours, or CPHs. Energy prices are higher during CPHs, reflecting the need for load reduction through short-term conservation.

The RSDPR-1 rate is designed to be revenue neutral, consistent with the Commission's policy on time of use rates. Accordingly, if an average customer (based on the ¢/kWh energy average for residential customers) does not change his or her behavior, that customer will pay the same amount per kilowatt hour as he or she would have paid under the RS-1 rate. Alternatively, if the customer reduces usage during one or more CPHs, the customer will pay less than he or she would otherwise have paid under the RS-1 rate. The RSDPR-1 rate factors were based on an on-peak to off-peak price ratio of 6.0, a target ratio determined by a review of similar programs in the industry. The actual ratio is just below 6.0, as a result of the revenue neutrality considerations that were applied.

The RSDPR-1 rate (both the credits for most hours and the additional charges applicable for the CPHs) will be administered through FPL's Energy Conservation Cost Recovery (ECCR) clause. Because the rate for non-CPH hours is greater than the rate for the first 1,000 kilowatt hours on the standard residential RS-1 rate (but lower than the RS-1 rate for usage greater than 1,000 kilowatt hours), Pilot Rate participants will be charged a slightly lower Customer Charge to ensure that any low-usage participating customers are held harmless. This will also function as a participation incentive to encourage any interested customer to enroll in and remain on the Pilot Rate. It should be noted that actual customer charge costs would be at least even with current charge levels, but more

likely would be higher, because of equipment and program administration costs associated with the Project. However, DOE funding is being utilized to off-set these higher costs.

Description of Technology - FPL will provide Project participants with a free IHD or HEC and all 130 participants on the RSDPR-1 rate will receive a HEC. The HEC will receive real-time price and energy use information from FPL's smart meter and display current and historic energy use. Using the HEC, RSDPR-1 participants can enable selected appliances to respond to CPHs by adjusting thermostat set point, turning off the water heater and turning off the pool pump. The HEC also provides participants with the option to override, at a minimum, central air conditioning and heating response during CPHs at their discretion.

Ten RSDPR-1 participants will receive a suite of five market-ready "Smart Appliances" including an electric heat pump water heater, clothes washer and dryer, dishwasher and refrigerator. These "Smart Appliances" will have the ability to communicate with the HEC and respond to CPHs in innovative ways.

RSDPR-1 participants will receive an orientation to equipment use and education about dynamic pricing and actions, both automated and manual, which may be taken to reduce consumption during CPHs. Participants will be allowed to keep the FPL-provided HEC and smart appliances if they participate for one year.

Recruitment of Project Participants - A pool of eligible customers will be created based on technical eligibility requirements, including residing in a single family home served by a smart meter and not being enrolled in FPL's On Call load management or Budget Bill levelized-billing programs. Eligible customers will be selected at random from the pool and invited to enroll in the Project, which will be free and voluntary. Responding customers will be enrolled on a first-come basis. Customers will be asked to stay enrolled for at least a year, but there will be no barrier to exiting the Project and participants may elect to drop out at any time. A formal participation agreement will only be used in the ten homes receiving smart appliances, where more detailed data from the HEC may be accessed using the customer's existing broadband Internet connection.

Project Monitoring – FPL will track the response rate to the Project offer and measure energy conserved as a result of participation and peak load reduction resulting from CPHs. FPL will also evaluate billing impacts of the RSDPR-1 rate, including the distribution of savings based on consumption and response to CPHs. Satisfaction among participants will also be surveyed to understand long-term customer acceptance of the Project approach.

Proposed Schedule – FPL is proposing an initial effective period of approximately 27 months (estimated January 2011 – April 2013).

- Enroll non-RSDPR-1 participants and install equipment: January – April 2011
- Enroll RSDPR -1 participants and install equipment: April - June 2011
- Data gathering period: July 1, 2011 – August 31, 2012 (RSDPR-1 customers would return to the RS-1 rate on the first billing cycle after August 31, 2012)

- Analysis and decommissioning: September 1, 2012 – April 2013
- Final report: April 30, 2013

Proposed Budget and ECCR Impact – FPL's Energy Smart Florida grant, awarded by the DOE, will fund Project expenses associated with project management, technology testing, participant recruitment, equipment purchase and installation, customer support, billing, third-party impact measurement and evaluation and decommissioning. For these activities, FPL currently estimates spending approximately $2,631,000 for the proposed 27-month term, and these are detailed in Table 2, below. FPL expects all these costs to be reimbursed by the DOE.

Table 2: DOE-funded components of FPL's In-Home Technology Project

COST	DOE Funded Budget
Project Management	$274,000
Interoperability Testing	$206,000
Computer Programming for Pilot Rate	$284,000
Billing Support for Pilot Rate	$165,000
In-Home Technology	$675,000
Recruiting, Installation and Customer Support	$597,000
Control Group and Participant Surveys	$125,000
Measurement and Evaluation	$305,000
	$2,631,000

FPL anticipates that only the administration of the RSDPR-1 rate will affect the ECCR clause. As explained above, FPL proposes to administer the RSDPR-1 rate through the ECCR clause. FPL essentially will recover the non-CPH pilot adjustment factor credits through the CPH adjustment factor revenues collected during CPHs. FPL expects any difference between the two to be negligible. It is expected that participants will reduce usage during CPHs and the credits paid will exceed CPH revenues collected. FPL does

not propose to seek recovery of these revenues resulting from such responsive behavior at this time.

Reporting – FPL will provide progress reports to FPSC staff annually and will file a final report at the end of the Project term.

APPENDIX B

Tariff Sheets

RESIDENTIAL SERVICE – DYNAMIC PRICE RESPONSE
(OPTIONAL PILOT)

RATE SCHEDULE: RSDPR-1 (Pilot)

AVAILABLE:

Available only within the geographic areas served by the Company's In-Home Technology Project and effective for a period of 17 months from the effective date of this Tariff or until modified, discontinued, or otherwise revised by the Company and approved by the Commission. Participants in the Price Response Pilot must receive metering under the Company's Advanced Metering Infrastructure (AMI) and have sufficient AMI wireless signal strength inside the customer premise to allow dynamic price signals to be communicated into the premise.

APPLICATION:

To customers receiving service under Rate Schedule RS-1 who elect to participate in the Price Response Pilot. The Price Response Pilot is limited to 130 customers who have chosen to receive equipment with the ability to receive real-time information from the AMI meter at their premise.

Service is only for all domestic purposes in individually metered dwelling units. This Rate Schedule is not applicable for service to commonly-owned facilities of condominium, cooperative or homeowners associations. This is an optional rate available to residential customers through the Price Response Pilot.

SERVICE:

Single phase, 60 hertz at available standard voltage. All residential service required on the premises by Customer shall be supplied through one meter capable of recording and storing 60-minute interval data and sending and receiving electronic signals with the Company and into the customer premise. Resale of service is not permitted hereunder.

MONTHLY RATE:

Customer Charge:	$4.75
Non-Fuel Energy Charges:	All Hours
Base Energy Charge	4.023¢ per kWh
Conservation Charge	See Sheet No. 8.030
ECCR – Pilot	See Sheet No. 8.030.2
Capacity Payment Charge	See Sheet No. 8.030
Environmental Charge	See Sheet No. 8.030
Additional Charges:	
Fuel Charge	See Sheet No. 8.030
Storm Charge	See Sheet No. 8.040
Franchise Fee	See Sheet No. 8.031
Tax Clause	See Sheet No. 8.031
Minimum:	$4.75

CONSERVATION PRICING HOURS:

The Conservation Pricing Hours (CPH) shall be determined at the sole discretion of the Company, but shall not exceed 88 hours per year. CPH events shall be at least one (1) hour in duration but will not exceed eight (8) hours consecutively.

NOTIFICATION OF CONSERVATION PRICING HOURS:

Customers will be notified of the CPH event through electronic communications via the Company's AMI and associated equipment to be provided by the Company for participants in the pilot program. Notification will coincide with the start of the event.

RESIDENTIAL SERVICE – DYNAMIC PRICE RESPONSE
(OPTIONAL PILOT)

RATE SCHEDULE: RSDPR-1 (Pilot)

AVAILABLE:

Available only within the geographic areas served by the Company's In-Home Technology Project and effective for a period of 17 months from the effective date of this Tariff or until modified, discontinued, or otherwise revised by the Company and approved by the Commission. Participants in the Price Response Pilot must receive metering under the Company's Advanced Metering Infrastructure (AMI) and have sufficient AMI wireless signal strength inside the customer premise to allow dynamic price signals to be communicated into the premise.

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Single phase, 60 hertz at available standard voltage. All residential service required on the premises by Customer shall be supplied through one meter capable of recording and storing 60-minute interval data and sending and receiving electronic signals with the Company and into the customer premise. Resale of service is not permitted hereunder.

~~RESERVED FOR FUTURE USE~~

MONTHLY RATE:

Customer Charge:	$4.75
Non-Fuel Energy Charges:	All Hours
Base Energy Charge	4.023¢ per kWh
Conservation Charge	See Sheet No. 8.030
ECCR – Pilot	See Sheet No. 8.030.2
Capacity Payment Charge	See Sheet No. 8.030
Environmental Charge	See Sheet No. 8.030

Additional Charges:	
Fuel Charge	See Sheet No. 8.030
Storm Charge	See Sheet No. 8.040
Franchise Fee	See Sheet No. 8.031
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NOTIFICATION OF CONSERVATION PRICING HOURS:

Customers will be notified of the CPH event through electronic communications via the Company's AMI and associated equipment to be provided by the Company for participants in the pilot program. Notification will coincide with the start of the event.

(Continued from Sheet No. 8.030.1)

ECCR FACTORS – DYNAMIC PRICE REPSONSE PILOT:

ECCR Factors applicable to customer participating in the Dynamic Price Response Pilot

Pilot Rate Factors:

Non-Conservation Pricing Hours Energy Charge	
Standard ECCR Factor	0.188¢ per kWh
Pilot Adjustment Factor	(0.201)¢ per kWh
Total	(0.013)¢ per kWh
Conservation Pricing Hours Energy Charge	
Standard ECCR Factor	0.188¢ per kWh
Pilot Adjustment Factor	21.821¢ per kWh
Total	22.009¢ per kWh

(Continued from Sheet No. 8.030.1)

ECCR FACTORS – DYNAMIC PRICE REPSONSE PILOT:

ECCR Factors applicable to customer participating in the Dynamic Price Response Pilot

Pilot Rate Factors:	
Non-Conservation Pricing Hours Energy Charge	
Standard ECCR Factor	0.188¢ per kWh
Pilot Adjustment Factor	(0.201)¢ per kWh
Total	(0.013)¢ per kWh
Conservation Pricing Hours Energy Charge	
Standard ECCR Factor	0.188¢ per kWh
Pilot Adjustment Factor	21.821¢ per kWh
Total	22.009¢ per kWh