

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost
recovery clause.

DOCKET NO. 030002-EG
ORDER NO. PSC-03-1375-FOF-EG
ISSUED: December 4, 2003

The following Commissioners participated in the disposition of
this matter:

LILA A. JABER, Chairman
J. TERRY DEASON
BRAULIO L. BAEZ
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON

APPEARANCES:

JOHN W. MCWHIRTER, JR., ESQUIRE, McWhirter, Reeves,
McGlothlin, Davidson, Kaufman & Arnold, P.A., 400 N.
Tampa Street, Suite 2450, Tampa, Florida 33601-3350; and
VICKI GORDON KAUFMAN, ESQUIRE, McWhirter, Reeves,
McGlothlin, Davidson, Kaufman & Arnold, P.A., 114 South
Gadsden Street, Tallahassee, Florida 32301
On behalf of Florida Industrial Power Users Group
(FIPUG).

CHARLES A. GUYTON, ESQUIRE, Steel, Hector & Davis, LLP,
215 S. Monroe Street, Suite 601, Tallahassee, Florida
32301
On behalf of Florida Power & Light Company (FP&L).

NORMAN H. HORTON, JR., ESQUIRE, Messer, Caparello & Self,
P.A., P.O. Box 1876, Tallahassee, Florida 32302-1876
On behalf of Florida Public Utilities Company (FPUC).

JEFFREY A. STONE, ESQUIRE, and RUSSELL A. BADDERS,
ESQUIRE, Beggs & Lane, P.O. Box 12950, Pensacola, Florida
32591-2950
On behalf of Gulf Power Company (GULF).

JAMES A. MCGEE, ESQUIRE, P.O. Box 14042, St. Petersburg,
Florida 33733-4042
On behalf of Progress Energy Florida (PEF).

RECORDED & INDEXED

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FPSC-COMMISSION CLERK

LEE L. WILLIS, ESQUIRE, and JAMES D. BEASLEY, ESQUIRE,
Ausley & McMullen, P.O. Box 391, Tallahassee, Florida
32302
On behalf of Tampa Electric Company (TECO).

ROBERT D. VANDIVER, ESQUIRE, Associate Public Counsel,
Office of Public Counsel, c/o The Florida Legislature,
111 West Madison Street, Room 812, Tallahassee, Florida
32399-1400
On behalf of the Citizens of the State of Florida (OPC).

LORENA A. HOLLEY, ESQUIRE, Florida Public Service
Commission, 2540 Shumard Oak Boulevard, Tallahassee,
Florida 32399-0850
On behalf of the Florida Public Service Commission
(FPSC).

FINAL ORDER APPROVING ENERGY CONSERVATION COST RECOVERY
AMOUNTS AND ESTABLISHING ENERGY CONSERVATION COST RECOVERY
FACTORS FOR THE PERIOD JANUARY 2004 THROUGH DECEMBER 2004

I. Case Background

As part of the Commission's ongoing energy conservation cost recovery proceedings, a hearing was held on November 12, 2003, in this docket. Prior to the hearing, the parties reached agreement on all issues. Accordingly, all issues presented were stipulated. We accept and approve the following stipulations as reasonable.

II. Generic Energy Conservation Cost Recovery Issues

A. End-of-Period Final True-Up Amounts for the Period January 2002 through December 2002

We approve as reasonable the following stipulation as to the end-of-period final true-up amounts for the period January 2002 through December 2002:

FPL:	\$ 7,852,926 Over Recovery
FPUC: (Mari.)	\$ 1,998 Over Recovery
FPUC: (Fern.)	\$ 42,657 Over Recovery

FPUC: (Cons.)	\$ 44,655 Over Recovery
GULF:	\$ 493,581 Over Recovery
PEF:	\$ 8,743,330 Over Recovery
TECO:	\$ 1,138,692 Over Recovery

B. Energy Conservation Cost Recovery Factors by Customer Class
 for the Period January 2004 through December 2004

We approve as reasonable the following stipulation as to the appropriate energy conservation cost recovery factors for the period January 2004 through December 2004:

FPL: <u>Rate Class</u>	<u>ECCR Factor</u>
Residential	0.145 cents/Kwh
General Svc.	0.143 cents/Kwh
General Svc. Demand	0.131 cents/Kwh
Sports Service 2	0.141 cents/Kwh
General Svc. Large 1/Curtailable 1	0.125 cents/Kwh
General Svc. Large 2/Curtailable 2	0.120 cents/Kwh
General Svc. Large 3/Curtailable 3	0.114 cents/Kwh
Interruptible Standby ID	0.000 cents/Kwh
Standby Supplemental 1T	0.100 cents/Kwh
Standby Supplemental 1D	0.124 cents/Kwh
Commercial Load Control D & G	0.115 cents/Kwh
Commercial Load Control T	0.106 cents/Kwh
Metropolitan Transit	0.137 cents/Kwh
Outdoor/Street Lighting 1	0.070 cents/Kwh
Street Lighting 2	0.110 cents/Kwh

FPUC: <u>Rate Class</u>	<u>ECCR Factor</u>
(Marianna)	0.069 cents/Kwh
(Fernandina Beach)	0.044 cents/Kwh
(Consolidated)	0.054 cents/Kwh

GULF: <u>Rate Class</u>	<u>ECCR Factor</u>
RS, RST	0.076 cents/Kwh
GS	0.075 cents/Kwh
GSD, GSDT, GSTOU	0.070 cents/Kwh
LP, LPT	0.067 cents/Kwh
PX, PXT, RTP, CSA	0.064 cents/Kwh
OSI, OSII	0.056 cents/Kwh
OSIII	0.066 cents/Kwh

OSIV	0.056 cents/Kwh
SBS	0.064 cents/Kwh

<u>PEF: Rate Class</u>	<u>ECCR Factor</u>
Residential	0.174 cents/Kwh
General Svc. Non-Demand	0.162 cents/Kwh
@ Primary Voltage	0.160 cents/Kwh
@ Transmission Voltage	0.159 cents/Kwh
General Svc. 100% Load Factor	0.117 cents/Kwh
General Svc. Demand	0.147 cents/Kwh
@ Primary Voltage	0.146 cents/Kwh
@ Transmission Voltage	0.144 cents/Kwh
Curtaillable	0.135 cents/Kwh
@ Primary Voltage	0.134 cents/Kwh
@ Transmission Voltage	0.132 cents/Kwh
Interruptible	0.120 cents/Kwh
@ Primary Voltage	0.119 cents/Kwh
@ Transmission Voltage	0.118 cents/Kwh
Lighting	0.063 cents/Kwh

<u>TECO: Rate Class</u>	<u>ECCR Factor</u>
Interruptible	28 cents/Mwh
Residential	0.111 cents/Kwh
General Svc. Non-Demand	0.104 cents/Kwh
General Svc. Demand	0.093 cents/Kwh
@ Primary Voltage	0.092 cents/Kwh
General Svc. Large Demand	0.085 cents/Kwh
@ Primary Voltage	0.084 cents/Kwh
@ Subtransmission Voltage	0.083 cents/Kwh
Lighting	0.060 cents/Kwh

C. Effective Date of the Energy Conservation Cost Recovery Factors for Billing Purposes

We approve as reasonable the following stipulation as to the effective date of the new energy conservation cost recovery factors for billing purposes:

The factors shall be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January, 2004, through December, 2004. Billing cycles may start before January 1, 2004, and the last cycle may be read

after December 31, 2004, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

III. Company Specific Issues

A. Tampa Electric Company

Contracted Credit Value for the GSLM-2 and GSLM-3 Rate Riders for the period January 2004 through December 2004

We approve as reasonable the following stipulation as to Tampa Electric Company's Contracted Credit Value for the GSLM-2 and GLSM-3 Rate Riders for the period January 2004 through December 2004:

In accordance with Order No. PSC-99-1778-FOF-EI, issued September 10, 1999 in Docket No. 990037-EI, Tampa Electric has calculated that, for the forthcoming cost recovery period, January 2004 - December 2004, the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders shall be \$4.28 per KW.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the stipulations, rulings, and findings set forth in the body of this Order are hereby approved. It is further

ORDERED that each utility that was a party to this docket shall abide by the stipulations, findings, and rulings herein which are applicable to it. It is further

ORDERED that the utilities named herein are authorized to collect the energy conservation cost recovery amounts and utilize the factors approved herein for the period beginning with the specified conservation cost recovery cycle and thereafter for the period January 1, 2004, through December 31, 2004. Billing cycles may start before January 1, 2004, and the last cycle may be read after December 31, 2003, so that each customer is billed for twelve months regardless of when the adjustments factor became effective. It is further

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ORDERED that, for the forthcoming cost recovery period, January 2004 - December 2004, Tampa Electric Company's Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders shall be \$4.28 per KW.

By ORDER of the Florida Public Service Commission this 4th Day of December, 2003.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

LAH

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 or judicial review of Commission orders that is available under Sections 120.57 or 120.68, 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 or judicial review will be granted or result in the relief sought.

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Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.