

ORIGINAL

**Matilda Sanders**

**From:** Richzambo@aol.com  
**Sent:** Friday, June 25, 2004 11:41 AM  
**To:** Filings@psc.state.fl.us  
**Subject:** Docket No. 040033-EG -- Petition for approval of conservation goals by TECO

Attached for filing in the referenced docket please find the **Comments of The Florida Industrial Cogeneration Association**.

If you have any questions regarding this filing, or require anything further, please do not hesitate to contact this office.

Thank you.

*Rich Zambo*

Richard A. Zambo, P.A.  
1334 S.E. MacArthur Boulevard  
Stuart Florida 34996

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DOCUMENT NUMBER-DATE

**07005 JUN 25 04**

FPSC-COMMISSION CLERK

**RICHARD A. ZAMBO, P.A.**  
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**ORIGINAL**

REGISTERED PROFESSIONAL ENGINEER  
REGISTERED PATENT ATTORNEY

COGENERATION & ALTERNATIVE ENERGY  
ENERGY REGULATORY LAW

June 25, 2004  
Via electronic filing

Ms. Blanca S. Bayó, Director  
Commission Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Room 110  
Tallahassee, Florida 32399-0850

Re: FPSC Docket No. 040033-EG  
Petition for approval of conservation goals by Tampa Electric Company.

Dear Ms. Bayó:

Attached hereto for electronic filing in the referenced proceeding find the Comments of the Florida Industrial Cogeneration Association (FICA), along with a certificate of service.

If you have any questions or require additional information, please contact this office.

Sincerely,

*/s/ Richard A. Zambo*

RAZ/nb

Richard A. Zambo  
Florida Bar No. 312525

DOCUMENT NUMBER-DATE  
07005 JUN 25 04  
FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of )  
Numeric Conservation Goals )  
By Tampa Electric Company )

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Docket No. 040033-EG

By electronic filing: June 25, 2004

**COMMENTS  
OF  
FLORIDA INDUSTRIAL COGENERATION ASSOCIATION**

The Florida Industrial Cogeneration Association (FICA) by and through its undersigned attorney, hereby files these Comments in the captioned proceeding, and states:

1. The name, address, and telephone number of the Petitioners are as follows:

Florida Industrial Cogeneration Association  
c/o Richard A. Zambo, P.A.  
1334 S.E. MacArthur Boulevard  
Stuart, Florida 34996  
Phone: (772) 225-5400  
FAX: (772) 232-0205

2. Copies of all correspondence, pleadings, and other documents should be provided to:

Richard A. Zambo  
Richard A. Zambo, P.A.  
1334 S.E. MacArthur Boulevard  
Stuart, Florida 34996  
Phone: (772) 225-5400  
FAX: (772) 232-0205

3. The Florida Industrial Cogeneration Association (FICA) is a trade association representing Florida industrial cogenerators. FICA members generate electricity via energy-efficient qualifying cogeneration facilities, and have implemented other means of increasing the efficiency of use of electricity and thermal energy. FICA members have spent, and continue to expend, substantial dollars and resources on such "in-house" conservation activities.

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4. FICA is concerned with the following aspects of Tampa Electric Company's (TECo) filing in this proceeding - aspects which FICA believes warrant careful scrutiny by the Commission and significant modification or supplementation by TECo.

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- TECo's filing does not acknowledge the very real and substantial contributions of FICA members within its service territory to the overall reduction in electrical demand, electricity consumption, and conservation of fossil fuels. FICA suggests that such independent conservation measures be acknowledged by payments to participating customers in amounts commensurate with resulting benefits to non-industrial consumers.
- TECo's proposed goals do not reflect, nor do the proposed programs include, industrial conservation and/or efficiency measures of the scale that may be available from Florida's large industries. FICA suggests that TECo propose a program allowing large consumers, relying on their unique knowledge of their energy characteristics, to propose conservation/efficiency measures that would be funded by the utility.
- TECo's proposed conservation programs will result in significant conservation cost recovery payments by FICA's members that may be more efficiently spent by industry in the implementation of conservation/efficiency measures unique to each industrial operation. FICA suggests that large industrial consumers with a demonstrated history of implementing significant cogeneration or other efficiency or energy conservation measures be exempted from any conservation cost recovery or similar surcharge.

WHEREFORE, FICA respectfully submits these comments and requests that they be given due consideration by the Commission in this matter.

RESPECTFULLY submitted on the 25<sup>th</sup> day of June, 2004.

*/s/ Richard A. Zambo*

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Richard A. Zambo  
Florida Bar No. 312525

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Attorney for:

Florida Industrial Cogeneration Association

**CERTIFICATE OF SERVICE**

Docket No. 040033-EG

I HEREBY CERTIFY that a true and correct copy of the foregoing Comments of the Florida Industrial Cogeneration Association has been duly submitted to the U.S. Postal Service on this 25<sup>th</sup> day of June, 2004 for delivery to the following persons:

Adrienne Vining, Esquire  
Office of the General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Executive Office of the Governor  
Office of Planning and Budget  
General Government Unit  
The Capitol, Rm. 1502  
Tallahassee, FL 32399-0001

Lee Willis, Esquire  
James Beasley, Esquire  
Ausley Law Firm  
P.O. Box 391  
Tallahassee, FL 32302

Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

Florida Industrial Power Users Group  
c/o McWhirter Law Firm  
John W. McWhirter  
400 North Tampa Street, Suite 2450  
Tampa, FL 33602

**Tampa Electric Company**  
**Ms. Angela Llewellyn**  
**Regulatory Affairs**  
**P. O. Box 111**  
**Tampa, FL 33601-0111**

*/s/ Richard A. Zambo*

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Richard A. Zambo  
Florida Bar No. 312525