

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: APPLICATION OF AMERICAN BANK AND TRUST TO PARTICIPATE IN THE ENERGY CONSERVATION LOAN TEST PROGRAM) DOCKET NO. 891141-EG
)
) ORDER NO. 22077
) ISSUED: 10-23-89

The following Commissioners participated in the disposition of this matter:

MICHAEL McK. WILSON, Chairman
 THOMAS M. BEARD
 BETTY EASLEY
 GERALD L. GUNTER
 JOHN T. HERNDON

NOTICE OF PROPOSED AGENCY ACTION

ORDER APPROVING AMERICAN BANK AND TRUST'S
PETITION TO PARTICIPATE IN THE
ENERGY CONSERVATION LOAN TEST PROGRAM

BY THE COMMISSION:

Notice is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for formal proceeding pursuant to Rule 25-22.029, Florida Administrative Code.

In Order 16539, Docket No. 860970-EG, issued September 3, 1986, the Commission initiated a test program designed to promote loans by financial institutions to residential customers for the purpose of improving the energy efficiency of their homes. The program, entitled the Energy Conservation Test Program, and included as Appendix A in the above Order, provided for the commencement and termination period, geographic scope, eligible utilities, utility programs, participation by financial institutions, terms of subsidies, claims, and the suspension and extension of the program.

The Order authorizes investor-owned electric and gas utilities to adopt a program to coordinate with financial institutions to make loans to residential utility customers, and requires utilities and institutions to make applications to

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participate. American Bank & Trust of Pensacola is making such an application. The geographic area served by American Bank & Trust includes Gulf Power Company's test area approved in the above docket on October 21, 1986.

We find that the petition of American Bank & Trust contains provisions consistent with the test program requirements contained in Order No. 16539 and subsequent orders. American Bank & Trust estimates that for the fiscal year through June 30, 1990, it will loan no more than \$1,000,000 under the program. We further find

That if no substantially affected person timely files a protest to the Commission's proposed agency action, this docket should be closed. It is, therefore,

ORDERED that the petition of American Bank & Trust of Pensacola to participate as a qualifying financial institution in the Energy Conservation Loan Test Program and guarantee/subsidize a potential first year loan value of \$1,000,000 for the fiscal period July 1, 1989 through June 30, 1990 is approved. It is further

ORDERED that this docket shall become final and this docket closed unless a petition or formal proceeding is received by close of business day on November 13, 1989.

By ORDER of the Florida Public Service Commission,
 this 23rd day of OCTOBER, 1989.


 STEVE TRIBBLE, Director
 Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on November 13, 1989.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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 of the effective date 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.