

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Review of Conservation)	DOCKET NO. 820517-EU
Goals, Rule 25-17.002, F.A.C.)	ORDER NO. 22172
)	ISSUED: 11-14-89

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
 THOMAS M. BEARD
 JOHN T. HERNDON

ORDER ON CONSERVATION GOALS

By the Commission:

Rule 25-17.002, Florida Administrative Code, was originally promulgated in 1980 to implement the original Florida Energy Efficiency and Conservation Act (FEECA), Chapter 366.81-.85, Florida Statutes. The rule sets forth a methodology to determine statewide conservation goals in addition to providing a procedure for apportionment of these statewide goals among individual utility for the period 1981 to 1985. Goals for each utility are set by Commission order, as are any specific conservation program approvals or modifications. In addition, Rule 27-17.002 encourages oil use reduction and sets reduction goals of 25 percent by 1989, so that total electric utility consumption in Florida does not exceed 58,734,000 barrels in 1990.

The methodology prescribed in Rule 25-17.002 set numerical targets for the 1980's only. As a result, future conservation goals for electric utilities cannot be determined under the rule as it now exists. We thus believe that Rule 25.17.002 should be repealed and goals adopted consistent with the goals expressed in Rule 25.17.001, Florida Administrative Code.

An economic impact statement addressing the repeal of this rule is attached. We instruct our staff to file a rule repeal with the Secretary of State for adoption. Thereafter, unless a hearing is requested, or comments are filed within the allotted time period, we order that this docket be closed.

In consideration of the above, it is,

ORDERED by the Florida Public Service Commission that a repeal of Rule 25-17002, Florida Administrative Code shall be filed with the Secretary of State for adoption. It is further

DOCUMENT NUMBER-DATE

11099 NOV 14 1989

RECORDS / REPORTING

ORDER NO.: 22172
DOCKET NO.: 820517-EU
Page 2

ORDERED that unless a hearing is requested or comments are filed within the time period allotted after filing with the Secretary of State, that this docket be closed.

By ORDER of the Florida Public Service Commission,
this 14th day of NOVEMBER, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

by: Kay DeLeon
Chief, Bureau of Records

MAP

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.

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 Records and Reporting 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 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 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.