

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rules) DOCKET NO. 920113-EG
25-17.055 and 25-17.057,)
F.A.C., Energy Conservation) ORDER NO. PSC-92-0086-NOR-EG
Performance Audit.)
ISSUED: 3/23/92

NOTICE OF RULEMAKING

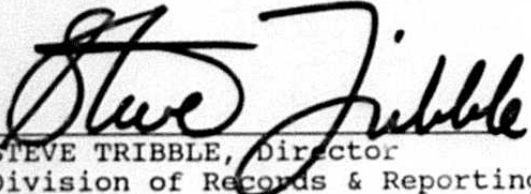
NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rules 25-17.055 and 25-17.057, F.A.C., relating to energy conservation performance audit, and energy conservation audit results.

The attached Notice of Rulemaking will appear in the March 27, 1992, edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Tuesday, April 28, 1992
Room 122, Fletcher Building
101 East Gaines Street
Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rules must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32399, no later than April 17, 1992.

By Direction of the Florida Public Service Commission, this
23rd day of MARCH, 1992.


STEVE TRIBBLE, Director
Division of Records & Reporting

(S E A L)

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 920113-EG

RULE TITLE:	RULE NO.:
Performance of the Energy Conservation Audit	25-17.055
Energy Conservation Audit Results	25-17.057

PURPOSE AND EFFECT: To require utilities to calculate their specific anticipated percentage change in energy costs and to use the data in computing payback time for conservation measures. The effect is that ratepayers would be able to evaluate cost-effectiveness of conservation measures on a more realistic basis.

SUMMARY: Rule 25-17.055 contains requirements for utility performance of energy conservation audits. The proposed amendment would require utilities to calculate their specific anticipated percentage change in energy costs and use the data in computing payback time for conservation measures, rather than using average data supplied by the Commission. Rule 25-17.057 instructs utilities on the presentation of energy conservation audit results. The proposed amendment would require presentation of payback computations based on the anticipated percentage change in energy costs for that utility, and would require utilities to calculate the applicable rate by January 31st of each year.

RULEMAKING AUTHORITY: 366.05(1), 366.82(1), F.S.

LAW IMPLEMENTED: 366.82, F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT OF THESE RULES:

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All utilities required by Sec. 366.82, Florida Statutes, to perform energy conservation audits would be affected by the rule amendment. Most responding utilities reported that the amendment would have no economic impact. One utility estimated a significant increase in costs. However, the estimate appeared to be associated with compliance with present rules, as neither of the proposed rule amendments would require more audits, as suggested by the utility. Another utility estimated that its costs would increase by less than \$500/year for additional staff research time. There should be a negligible decrease in Commission costs and paperwork.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 9:30 A.M., April 28, 1992

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THESE RULES AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THESE RULES ARE:

25-17.055 Performance of the Energy Conservation Audit.

(1) Pre-performance criteria.

(a) Each utility shall adopt procedures to assure that

estimates of energy cost savings and costs for conservation measures are based on:

1. Typical and recent local prices for materials and installation; and

2. Typical local climate data for the audited residence.

(b) At least semi-annually, each utility shall update the data collected pursuant to paragraph (1)(a).

(c) When computing payback time, the utility shall calculate and use ~~current Commission data~~ regarding the anticipated percentage change in energy costs, ~~unless the utility can demonstrate to the satisfaction of the Commission that the Commission's anticipated percentage change in energy costs is not applicable to that utility and that another figure should be used.~~

(d) The utility shall use only DOE approved methodologies and assumptions when performing the Energy Conservation Audit. The utility shall submit certification of compliance with this paragraph to the Commission.

(2) The Energy Conservation Audit:

(a) Upon arrival at the residence of the eligible customer, the auditor shall furnish proper identification and confirm that the customer understands the scope and cost of the Energy Conservation Audit. The auditor shall collect the fee or arrange for billing pursuant to Rule 25-17.059(1)(a).

1. The auditor shall discontinue or decline to perform the audit if the customer, at any time, objects to its performance.

2. The auditor may discontinue or decline to perform the audit if the auditor determines that continuation of the audit presents some danger to him or her.

3. In either event described in sub-paragraph 1 or 2 the auditor shall record the reason for the incomplete audit.

(b) The auditor shall determine which of the conservation practices are applicable, explain those practices to the customer, emphasize their importance, and recommend that the customer apply them before or in addition to any conservation measure.

(c) With regard to determining appropriate conservation measures, the auditor shall gather and record the following information where applicable:

1. Exterior opaque wall area and present level of insulation.

2. Exterior window and door areas, type and condition.

3. Ceiling area and present level of insulation.

4. Floor area and present level of insulation.

5. Water heater size, age and type.

6. Air conditioning system type, fuel, approximate age, size and duct condition.

7. Heating system type, fuel, approximate age, and

size.

8. Other items as appropriate.

(d) Using the data gathered pursuant to paragraph (c), and determining applicability of each conservation measure, the auditor shall make calculations designed to arrive at an estimation of the potential energy and overall cost savings to the customer who installs the appropriate conservation measures.

1. The auditor shall make calculations with reference to the appropriate building materials, heat transfer data, appliance efficiency data ~~date~~, energy and/or demand costs, and retrofit costs.

2. The auditor shall evaluate for the conservation measure listed in Rule 25-17.051(10)(p) and (q) only in regions with 1,000 or more heating degree days per year. The auditor shall evaluate for the conservation measure listed in Rule 25-17.051(10)(o) in areas with fewer than 1,000 heating degree days per year only upon customer request.

3. The auditor may not evaluate for conservation measures listed in Rule 25-17.051(10)(a) or (k) unless the evaluation is done in compliance with Rule 25-17.057(3)(a) and (b).

(e) Based upon the information from paragraphs (c) and (d) above, the auditor shall calculate the residence's rating under the

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five-star rating system and provide the rating to the customer, in writing, along with the more detailed audit results.

Specific Authority: 366.05(1), 366.82(1), (5), F.S.

Law Implemented: 366.82, F.S.

History: New 5/4/80, Amended 12/16/80, Transferred from 25-6.115, 25-6.115(3)(a), transferred to 25-17.51(9), 25-6.115(3)(c), transferred to 25-17.51(10), Amended 10/28/82, 2/22/84, _____, formerly 25-17.55.

25-17.057 Energy Conservation Audit Results.

(1) Unless an alternative method is authorized by Commission order upon good cause shown, the auditor shall make recommendations and provide the audit results and any recommendations to the customer, on site, in writing, and in person, upon completion of the audit, unless the customer is not present at the time of the audit or otherwise declines in-person presentations.

(2) The auditor shall provide the customer with:

(a) The estimated energy and overall cost savings that would likely result from each applicable energy conservation measure, in accordance with or except as provided in subsection (3) of this rule;

(b) An estimation of the total installation cost for each conservation measure, as provided in subsection (4) of this rule;

(c) The annual ordinary maintenance cost, if any, for each conservation measure;

(d) The first year's energy savings in dollars or a range of dollars for each conservation measure;

(e) The expected time of payback as provided in subsection (5) of this rule;

(f) A clear indication via sample calculations or disclosure, that the total energy cost savings from the installation of more than one energy conservation measure could be less than the sum of energy cost savings of each conservation measure installed individually;

(g) An explanation of the availability, if any, of innovative energy conservation rate structures or load management techniques offered by the utility;

(h) A sample calculation of the effect of federal and/or state tax benefits on the cost to the customer of installing at least one applicable energy conservation measure and, where possible, one or more renewable resource measure.

(3)(a) Except as provided in this paragraph, the auditor may not provide cost and savings estimations for furnace efficiency modifications described in Rule 25-17.051(10)(a) and (k), unless the furnace uses primarily a source of energy supplied by the utility performing the audit. Absent such use, the auditor shall provide cost and savings estimations for furnace efficiency modifications if the customer requests them and if the customer agrees to sign the following statement: "If your home is heated by

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a source of fuel other than (state the type of fuel supplied by the utility), only the supplier of your fuel may audit your furnace unless you specifically request us to do so. Federal law requires that such a request be in writing. If you want us to audit your furnace, although we do not supply the fuel it uses, please sign below."

(b) With regard to the conservation measure listed in Rule 25-17.051(10)(a) and (k), the auditor shall base any cost and savings estimations on an evaluation of the seasonal efficiency of the boiler or furnace. Seasonal efficiency shall be based on estimated peak (tuned up) steady state efficiency corrected for cycling losses. Steady state efficiency shall be derived from manufacturer's design data and observation of the furnace components or, alternatively, by a flue gas analysis of measured flue gas temperature and carbon dioxide content, or by procedures set forth by DOE in "Final Energy Conservation Test Procedures," 43 Federal Register, 20128, 20147.

(4)(a) Except as provided in paragraph (b), the auditor shall provide an estimation of the total installation cost for each conservation measure which reflects the customer's installing it himself or herself and which reflects the cost to the customer of having the measure installed by a contractor.

(b) For ceiling insulation, the auditor shall calculate the payback period for at least one increased level of insulation

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either to or above R.19 or, for residences with resistance heat systems in regions having 1,000 or more heating degree days per year, to or above R-22. Such calculations shall be in increments of R-11. The auditor may calculate payback periods for other levels of insulation if the customer so requests or if the utility believes higher levels would be cost effective. Auditors shall express recommendations in terms of R values and not in inches.

(5) The auditor shall provide to the customer an estimation of the expected time for payback of the customer's cost of purchasing and installing any conservation measure.

(a) Except as provided by Commission order, all payback computations shall be based on the anticipated a percentage change in energy bills as calculated formulated by the utility in compliance with ~~Commission and noted in~~ Rule 25-17.055(1)(c). The utility shall compute ~~Commission will provide the utilities with~~ the applicable rate for each succeeding year by January 31st of that year.

Specific Authority: 366.05(1), 366.82, F.S.

Law Implemented: 366.82, F.S.

History: New 5/4/80, Amended 12/16/80, Transferred from 25-6.117, Amended 10/28/82, _____, formerly 25-17.57.

NAME OF PERSON ORIGINATING PROPOSED RULES: Mike Haff, Division of Electric and Gas

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULES:

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Florida Public Service Commission.

DATE PROPOSED RULES APPROVED: March 10, 1992

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.