BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Approval of Demand-Side) DOCKET NO. 950448-EG
Management Plan of the City of) ORDER NO. PSC-95-0841-PCO-EG
Tallahassee.) ISSUED: July 14, 1995
_____)

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On June 21, 1995, the City of Tallahassee ("City"), filed a Motion for Extension of Time in Docket No. 950448-EG. The City requests that the Commission extend the date that it must file its Demand-Side Management Plan (DSM), up to and including February 1, 1996.

Order No. PSC-95-0461-FOF-EG, issued April 10, 1995, established numeric demand-side management (DSM) goals for the electric utilities subject to the Florida Energy Efficiency and Conservation Act (FEECA), Sections 366.80 - 366.85 and 403.519, Florida Statutes. Pursuant to Rule 25-17.0021 (4), Florida Administrative Code, each utility must submit a DSM plan designed to meet the utility's numerical goals within 90 days of a final order establishing or modifying goals.

Rule 25-17.0021 (4), Florida Administrative Code, does, however, give the Commission the discretion to extend the period of time in which a utility must file its demand-side management plans. The City maintains that it must wait until its Integrated Resource Plan (IRP) process is complete and the Tallahassee City Commission has approved a final DSM Plan before submitting the same to this Commission. The City maintains that any DSM plan submitted prior to Tallahassee City Commission approval will only be preliminary in nature. The City has provided a calendar reflecting mandatory steps and the anticipated time needed to file a Tallahassee City Commission approved DSM plan.

In the interim, the City will provide a status report concerning its IRP process to the Commission on or before October 16, 1995, and will provide Staff with a copy of its final resource plan on January 8, 1996. This extension of time will provide the City with an adequate amount of time in which to prepare its DSM plan.

Based on the foregoing, it is therefore

ORDERED by Commissioner Joe Garcia, as Prehearing Officer, that the City of Tallahassee's Demand-Side Management Plan shall be filed no later than February 1, 1996.

By ORDER of Commissioner Joe Garcia, as Prehearing Officer, this __14th__ day of ___July_____, __1995__ .

JOE GARCIA, Commissioner and
Prehearing Officer

for comm Garcia.

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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.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) 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 wastewater utility. A motion for reconsideration shall be filed with the Director, Division of

Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.