

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery
clause.

DOCKET NO. 050002-EG
ORDER NO.PSC-05-1175-FOF-EG
ISSUED: November 29, 2005

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
LISA POLAK EDGAR
ISILIO ARRIAGA

APPEARANCES:

JOHN W. MCWHIRTER, JR., ESQUIRE, McWhirter, Reeves & Davidson, P.A.,
400 North Tampa Street, Suite 2450, Tampa, Florida 33601-3350
and

TIMOTHY J. PERRY, ESQUIRE, McWhirter, Reeves & Davidson, P.A., 117
South Gadsden Street, Tallahassee, Florida 32301.
On behalf of Florida Industrial Power Users Group.

MR. R. WADE LITCHFIELD AND MS. NATALIE F. SMITH, 700 Universe
Boulevard, Juno Beach, Florida 33408
On behalf of Florida Power & Light Company.

GARY V. PERKO, ESQUIRE AND CAROLYN R. RAEPPE, ESQUIRE,
Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314
And

R. ALEXANDER GLENN, ESQUIRE, 100 Central Avenue, St. Petersburg, FL
33701-3324
On behalf of Progress Energy Florida.

LEE L. WILLIS, ESQUIRE and JAMES D. BEASLEY, ESQUIRE, Ausley &
McMullen, Post Office Box 391, Tallahassee, Florida 32302
On behalf of Tampa Electric Company.

PATRICIA A. CHRISTENSEN, Esquire, Associate Public Counsel, JOSEPH A.
MCGLOTHLIN, Esquire, Associate Public Counsel, CHARLES J. BECK,
Esquire, Deputy Public Counsel, Office of Public Counsel, c/o The Florida
Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-
1400
On behalf of the Citizens of the State of Florida.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

MARTHA CARTER BROWN, ESQUIRE, Florida Public Service Commission,
2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
On behalf of the Florida Public Service Commission.

FINAL ORDER APPROVING ENERGY CONSERVATION COST RECOVERY AMOUNTS
AND ESTABLISHING ENERGY CONSERVATION COST RECOVERY FACTORS FOR
THE PERIOD JANUARY 2006 THROUGH DECEMBER 2006

BY THE COMMISSION:

I. Case Background

As part of the Commission's ongoing energy conservation cost recovery proceedings, a hearing was held on November 07, 2005, in this docket. The parties submitted testimony and exhibits in support of their proposed final and estimated true-up amounts and their proposed conservation cost recovery factors. Prior to the hearing all parties agreed to stipulated resolutions of the issues. We accept those stipulations as reasonable, and we approve them as set forth below. We have jurisdiction over the subject matter by the provisions of Chapter 366, Florida Statutes, including sections 366.04, 366.05, 366.06 and 366.82, Florida Statutes.

II. Generic Energy Conservation Cost Recovery Issues

A. End-of-period final true-up amounts for the period January 2004 through December 2004.

We approve as reasonable the following stipulated final true-up amounts for the period January 2004 through December 2004:

| | | |
|---------------|--------------|---------------|
| PEFI: | \$ 8,154,738 | over-recovery |
| FPL: | \$ 4,091,188 | over-recovery |
| GPC: | \$ 210,612 | over-recovery |
| TECO: | \$ 2,405,000 | over-recovery |
| FPUC: (Cons.) | \$ 131,832 | over-recovery |

NOTE: The amount of over-recovery stated above for FPL represents the difference between FPL's estimated recovery and actual recovery for 2004. FPL's actual over-recovery for January 2004 through December 2004 was \$14,678,967.

B. Energy Conservation Cost Recovery Factors by Customer Class for the Period January 2006 through December 2006.

We approve as reasonable the following stipulated energy conservation cost recovery factors for the period January 2006 through December 2006:

FPL:

| <u>Rate Class</u> | <u>ECCR Factor</u> |
|-----------------------|--------------------|
| RS1/RST1 | 0.142 cents/Kwh |
| GS1/GST1. | 0.137 cents/Kwh |
| GSD1/GSDT1 | 0.129 cents/Kwh |
| OS2 | 0.122 cents/Kwh |
| GSLD1/GSLDT1/CS1/CST1 | 0.122 cents/Kwh |
| GSLD2/GSLDT2/CS2/CST2 | 0.117 cents/Kwh |
| GSLD3/GSLDT3/GS3/GST3 | 0.107 cents/Kwh |
| ISST1D | 0.111 cents/Kwh |
| ISST1T | 0.082 cents/Kwh |
| SST1T | 0.082 cents/Kwh |
| SST1D1/SST1D2/SST1D3 | 0.111 cents/Kwh |
| CILCD/CILCG | 0.113 cents/Kwh |
| CILCT | 0.106 cents/Kwh |
| MET | 0.133 cents/Kwh |
| OL1/SL1/PL1 | 0.071 cents/Kwh |
| Street Lighting 2 | 0.109 cents/Kwh |

FPUC:

| <u>Rate Class</u> | <u>ECCR Factor</u> |
|-------------------|--------------------|
| (Consolidated) | 0.046 cents/Kwh |

GPC:

| <u>Rate Class</u> | <u>ECCR Factor</u> |
|------------------------|--------------------|
| RS, RSVP | 0.088 cents/Kwh |
| GS | 0.087 cents/Kwh |
| GSD, GSDT, GSTOU | 0.084 cents/Kwh |
| LP, LPT | 0.079 cents/Kwh |
| PX, PXT, RTP, CSA, SBS | 0.074 cents/Kwh |
| OSI, OSII | 0.069 cents/Kwh |
| OSIII | 0.077 cents/Kwh |

PEF:

| <u>Rate Class</u> | <u>ECCR Factor</u> |
|-------------------------------|--------------------|
| Residential | 0.169 cents/Kwh |
| General Svc. Non-Demand | 0.158 cents/Kwh |
| @ Primary Voltage | 0.156 cents/Kwh |
| @ Transmission Voltage | 0.155 cents/Kwh |
| General Svc. 100% Load Factor | 0.119 cents/Kwh |
| General Svc. Demand | 0.145 cents/Kwh |
| @ Primary Voltage | 0.144 cents/Kwh |
| @ Transmission Voltage | 0.142 cents/Kwh |
| Curtaillable | 0.134 cents/Kwh |

| | |
|------------------------|-----------------|
| @ Primary Voltage | 0.133 cents/Kwh |
| @ Transmission Voltage | 0.131 cents/Kwh |
| Interruptible | 0.122 cents/Kwh |
| @ Primary Voltage | 0.121 cents/Kwh |
| @ Transmission Voltage | 0.120 cents/Kwh |
| Lighting | 0.072 cents/Kwh |

TECO:

| <u>Rate Class</u> | <u>ECCR Factor</u> |
|---------------------------|--------------------|
| Interruptible | 0.048 cents/Kwh |
| Residential | 0.076 cents/Kwh |
| General Svc., TS | 0.070 cents/Kwh |
| General Svc. Demand | 0.060 cents/Kwh |
| @ Primary Voltage | 0.060 cents/Kwh |
| General Svc. LD, SBF | 0.057 cents/Kwh |
| @ Primary Voltage | 0.056 cents/Kwh |
| @ Subtransmission Voltage | 0.055 cents/Kwh |
| SL, OL | 0.024 cents/Kwh |

C. Effective Date of the Energy Conservation Cost Recovery Factors for Billing Purposes.

We approve as reasonable the following stipulation regarding the effective date of the new energy conservation cost recovery factors for billing purposes:

The factors should be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January, 2006, through December, 2006. Billing cycles may start before January 1, 2006, and the last cycle may be read after December 31, 2006, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

III. Company Specific Energy Conservation Cost Recovery Issues

A. Tampa Electric Company

We approve as reasonable the following stipulation regarding Tampa Electric Company's Contracted Credit Value for the GSLM-2 and GSLM-3 Rate Riders for the period January 2006 through December 2006:

For the forthcoming cost recovery period, January 2006 through December 2006, the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders will be \$5.17 per KW for the forthcoming cost recovery period, January 2006 through December 2006, the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders will be \$5.17 per KW.

Based on the foregoing, it is

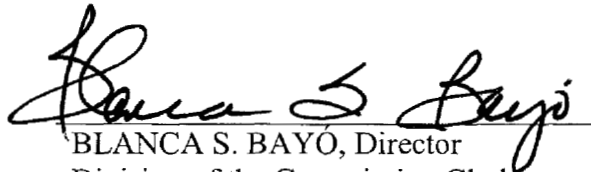
ORDERED by the Florida Public Service Commission that the stipulations set forth in the body of this Order are approved. It is further

ORDERED that each utility that is a party to this docket shall abide by the stipulations applicable to it. It is further

ORDERED that the utility parties to this docket are authorized to collect the energy conservation cost recovery amounts and utilize the factors approved herein for the period beginning with the specified conservation cost recovery cycle and thereafter for the period January 1, 2006, through December 31, 2006. Billing cycles may start before January 1, 2006, and the last cycle may be read after December 31, 2006, so that each customer is billed for twelve months regardless of when the adjustment factor became effective. It is further

ORDERED that, for the forthcoming cost recovery period, January 2006 through December 2006, Tampa Electric Company's Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders shall be \$5.17 per KW.

By ORDER of the Florida Public Service Commission this 29th day of November, 2005.


BLANCA S. BAYO, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

MCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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 the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 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 and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services 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.