



Public Service Commission

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DATE: MAY 31, 2001

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF SAFETY AND ELECTRIC RELIABILITY (FUTRELL) *DPW*
 DIVISION OF ECONOMIC REGULATION (SPRINGER) *mas*
 DIVISION OF LEGAL SERVICES (HART) *RUE*

RE: DOCKET NO. 010561-EI - PETITION BY FLORIDA POWER & LIGHT COMPANY FOR APPROVAL OF RESIDENTIAL ON-CALL RESEARCH PROJECT AND FOR WAIVER OF RULE 25-6.0438(4)(C), F.A.C., OR FOR ISSUANCE OF ORDER STATING RULE DOES NOT APPLY.

AGENDA: 06/12/01 - REGULAR AGENDA - TARIFF FILING - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: 60-DAY SUSPENSION DATE: JUNE 19, 2001

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\SER\WP\010561.RCM

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission suspend Florida Power and Light Company's (FPL) proposed new tariff for its Residential On Call research project?

RECOMMENDATION: Yes. (Futrell, Springer)

STAFF ANALYSIS: On April 20, 2001, FPL filed a petition for approval of a residential load management research project and tariffs. FPL's existing On Call program is a Commission-approved residential load management program, the expenses of which are recovered through the Energy Conservation Cost Recovery Clause.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

The proposed research project would test the effect lower monetary credits and different marketing strategies would have on participation in the On Call program. FPL also seeks in its petition a waiver of Rule 25-6.0438(4)(c), Florida Administrative Code, or in the alternative, a ruling that the rule does not apply. This rule requires that when a utility proposes a change to any of its non-firm services, it must provide written notice to each affected customer. Staff is recommending that the tariffs be suspended to allow sufficient time to review the petition.

Pursuant to Section 366.06(3), Florida Statutes, the Commission may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility requesting such increase, within 60 days, a reason or written statement of good cause for doing so. Staff believes that the reason stated above is good cause, consistent with the requirement of Section 366.06(3), Florida Statutes.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. The docket should remain open pending a final decision on the petition. (Hart)

STAFF ANALYSIS: The docket should remain open pending a final decision on the petition.