

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for approval of numeric conservation goals by Florida Public Utilities Company.	DOCKET NO. 040034-EG ORDER NO. PSC-04-0766-PAA-EG ISSUED: August 9, 2004
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The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING NUMERIC CONSERVATION GOALS AND DEMAND-SIDE
MANAGEMENT PLAN FOR FLORIDA PUBLIC UTILITIES COMPANY

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Case Background

Section 366.82, Florida Statutes, part of the Florida Energy Efficiency and Conservation Act (FEECA), requires us to adopt goals to increase the efficiency of energy consumption, increase the development of cogeneration, and reduce and control the growth rates of electric consumption and weather-sensitive peak demand. Pursuant to Section 366.82(2), Florida Statutes, we must review a utility's conservation goals not less than every five years. These statutes are implemented by Rules 25-17.001 and 25-17.0021, Florida Administrative Code.

We first established numeric goals for Florida Public Utilities Company (FPUC) in Order No. PSC-96-1120-FOF-EG, issued September 4, 1996, in Docket No. 930552-EG, In Re: Adoption of Numeric Conservation Goals and Consideration of National Energy Policy Act Standards (Section 111) by Florida Public Utilities Company. These goals were based on measures that were cost-effective under the participant and rate impact measure (RIM) tests.

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We set numeric goals for FPUC a second time in Order No. PSC-00-1029-PAA-EG, issued May 24, 2000, in Docket No. 990721-EG, In Re: Adoption of Numeric Conservation Goals and Consideration of National Energy Policy Act Standards (Section 111) by Florida Public Utilities Company. Again, FPUC's numeric goals were based on measures that passed the participant and RIM tests.

The instant docket, opened on January 13, 2004, represents the third time that we will set numeric conservation goals for FPUC. On June 1, 2004, FPUC timely filed its new numeric goals.

Rule 25-17.0021(4), Florida Administrative Code, requires that within 90 days of a final order establishing goals, a utility shall submit a demand-side management (DSM) plan which contains conservation and DSM programs designed to meet its numeric goals. As part of its numeric goals filing, FPUC filed its DSM Plan. FPUC also filed testimony and exhibits in support of its proposed numeric goals and DSM Plan.

This Order addresses FPUC's petition for approval of its numeric conservation goals and approval of its DSM Plan. We have jurisdiction over this matter pursuant to Sections 366.81 and 366.82, Florida Statutes.

Numeric Conservation Goals

FPUC developed its numeric conservation goals by evaluating all cost-effective DSM programs included in FPUC's current DSM Plan, plus four promising new programs. The seasonal demand and annual energy savings associated with these cost-effective programs were summed by market segment to arrive at FPUC's proposed goals.

FPUC's goals are as follows:

PROPOSED CONSERVATION GOALS - CUMULATIVE

Year	Residential			Commercial / Industrial		
	Summer MW	Winter MW	Annual GWh	Summer MW	Winter MW	Annual GWh
2005	0.08	0.11	0.16	0.15	0.09	0.40
2006	0.16	0.22	0.32	0.29	0.17	0.80
2007	0.24	0.34	0.49	0.44	0.26	1.20
2008	0.32	0.48	0.67	0.60	0.36	1.62
2009	0.41	0.64	0.87	0.75	0.45	2.05
2010	0.51	0.84	1.10	0.93	0.56	2.51
2011	0.62	1.06	1.36	1.10	0.67	2.97
2012	0.74	1.32	1.63	1.28	0.78	3.45
2013	0.87	1.60	1.94	1.48	0.91	3.97
2014	1.00	1.92	2.26	1.69	1.04	4.51

According to its most recent FEECA report, FPUC has successfully surpassed all six of its current numeric demand and energy conservation goals that we set in 2000. FPUC's proposed numeric goals are comparable to, and in some instances higher than, the current goals. A comparison of FPUC's current and proposed conservation goals is shown below.

COMPARISON OF CURRENT AND PROPOSED CONSERVATION GOALS

Year	Residential			Commercial / Industrial		
	Summer MW	Winter MW	Annual GWh	Summer MW	Winter MW	Annual GWh
Current (cumulative 2000-2009)	1.26	1.50	2.73	1.22	0.73	3.02
Proposed (cumulative 2005-2014)	1.00	1.92	2.26	1.69	1.04	4.51

We have reviewed the programs, assumptions, and evaluation methodology used by FPUC and find them to be reasonable. The DSM measures evaluated are based on an adequate assessment of the market segments and major end-use categories in accordance with Rule 25-17.0021(3), Florida Administrative Code. In addition, as required by the rule, FPUC's analysis adequately reflects consideration of overlapping measures, rebound effects, free riders, interactions with building codes and appliance efficiency standards, and FPUC's latest monitoring and evaluation of conservation programs and measures. FPUC appropriately used the RIM and participant tests to determine the cost-effective level of achievable DSM goals. Therefore, FPUC's proposed conservation goals are hereby approved.

Demand-Side Management Plan

FPUC's DSM Plan contains five residential programs, three commercial and industrial (C/I) programs, two educational programs, and a research and development program. Of these eleven programs, seven are existing programs we approved in 2001 as part of FPUC's current DSM Plan. The four new programs are the Residential Heating & Cooling Efficiency Upgrade program, the Residential Ceiling Insulation Upgrade program, the Commercial Indoor Efficient Lighting Rebate program, and the Conservation Demonstration and Development program. The Geothermal Heat Pump program, an existing program, is included in the proposed DSM plan, although any demand and energy savings were not used to develop FPUC's numeric goals due to uncertainty over future customer participation. A summary of all programs is contained in Attachment A to this Order. Tables illustrating each DSM program's projected demand and energy savings and contribution towards FPUC's numeric conservation goals are also included in Attachment A. Demand and energy savings from FPUC's DSM Plan are expected to meet or exceed the summer demand, winter demand, and energy savings goals approved for both the residential and commercial/industrial segments.

Pursuant to Order No. 22176, issued November 14, 1989 in Docket No. 890737-PU, In Re: Implementation of Section 366.80-.85, F.S., Conservation Activities of Electric and Natural Gas Utilities, we stated that conservation programs will be evaluated using the following criteria:

- Whether the program advances the policy objectives of Rule 25-17.001, Florida Administrative Code, and Sections 366.80 through 366.85, Florida Statutes, also known as the "Florida Energy Efficiency and Conservation Act" (FEECA);
- Whether the program is directly monitorable and yields measurable results; and
- Whether the program is cost-effective.

The programs contained in FPUC's DSM plan appear to meet the policy objectives of Rule 25-17.001, Florida Administrative Code, and FEECA. FPUC's measurement plan to evaluate assumed demand and energy savings appears reasonable. Each program included in FPUC's DSM plan is cost-effective under the RIM, Total Resource Cost (TRC), and participant tests and is expected to allow FPUC to meet its approved conservation goals. However, it must be emphasized that we are not addressing the prudence of expenditures for the programs contained in FPUC's DSM plan; such a review is performed annually in the Energy Conservation Cost Recovery Clause docket.

The programs contained in FPUC's DSM Plan meet the policy objectives of Rules 25-17.001, Florida Administrative Code, and FEECA. The programs are cost-effective and are expected to allow FPUC to meet the conservation goals approved in this Order. Therefore, we hereby approve FPUC's DSM Plan, including approval for cost recovery.

FPUC's DSM plan includes program standards which clearly state the requirements for participation in each program, customer eligibility requirements, details on how rebates or incentives will be processed, technical specifications on equipment eligibility, and necessary reporting requirements. Our staff shall administratively approve FPUC's program participation standards at a later date if they conform to the description of the programs contained in FPUC's DSM Plan.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Public Utilities Company's proposed annual numeric residential winter demand, summer demand, and annual energy conservation goals for the period 2005 through 2014 shall be approved as set forth in the body of this Order. It is further

ORDERED that Florida Public Utilities Company's proposed annual numeric commercial/industrial winter demand, summer demand, and annual energy conservation goals

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for the period 2005 through 2014 shall be approved as set forth in the body of this Order. It is further

ORDERED that Florida Public Utilities Company's demand-side management plan is hereby approved as set forth in the body of this Order. It is further

ORDERED that the Commission staff shall have administrative authority to approve Florida Public Utilities Company's program participation standards at a later date if they conform to the description of the programs contained in Florida Public Utilities Company's demand-side management plan. It is further

ORDERED that Attachment A to this Order is hereby incorporated by reference. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 9th day of August, 2004.

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

By: Marcia Sharma
Marcia Sharma, Assistant Director
Division of the Commission Clerk
and Administrative Services

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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 that is available under Section 120.57, 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 will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 30, 2004.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

ATTACHMENT A

**FLORIDA PUBLIC UTILITIES COMPANY / DEMAND-SIDE MANAGEMENT PLAN
RESIDENTIAL DEMAND-SIDE MANAGEMENT PROGRAMS**

Geothermal Heat Pump: Promotes the installation of advanced and emerging geothermal systems. Participants in single-family dwellings are guaranteed heating and cooling costs for two years. Multi-family installations receive a \$500 rebate. New unit must have a Seasonal Energy Efficiency Ratio (SEER) of 13.0 or higher. Due to uncertainty over future customer participation, FPUC does not plan for this program to contribute towards its DSM goals.

Heating & Cooling Efficiency Upgrade: Promotes the installation of high-efficiency heat pump systems (SEER of at least 12.0). Offers two types of equipment replacements: replacement of resistance-heating systems (Type 1) and replacement of lower-efficiency heat pump systems (Type 2). FPUC pays rebates to the customer (\$100) and dealer (\$25-75).

GoodCents Home / Energy Star: Promotes the design and construction of energy-efficient homes. Certification requires the installation of measures with efficiencies higher than required by the current building code. Homes may also qualify to receive the nationally recognized Energy Star efficiency label.

GoodCents Energy Survey: Residential walk-through energy audit program. Company auditor examines home and makes recommendations on energy-saving practices and measures, including identification potential duct leakage. FPUC intends to study the potential of expanding this program to include internet audits in the future.

Ceiling Insulation Upgrade: Encourages customers who have electric central air conditioning to add ceiling insulation. FPUC pays \$100 to customer for adding an amount of ceiling insulation equal to or greater than R-11.

RESIDENTIAL DEMAND-SIDE MANAGEMENT PROGRAMS

DSM PROGRAM	Summer Peak Demand		Winter Peak Demand		Annual Energy Consumption		Benefit / Cost Ratio (RIM)
	Savings (MW)	% of Goal	Savings (MW)	% of Goal	Savings (GWh)	% of Goal	
Geothermal Heat Pump	0.000	0.0%	0.000	0.0%	0.000	0.0%	N/A
Heating & Cooling Efficiency	0.175	17.5%	0.447	23.3%	0.523	23.1%	1.02
GoodCents Home / Energy Star	0.300	30.0%	0.540	28.1%	0.557	24.6%	1.29
GoodCents Energy Survey	0.385	38.5%	0.216	11.3%	0.759	33.6%	N/A
Ceiling Insulation Upgrade	0.140	14.0%	0.715	37.2%	0.424	18.8%	1.17
TOTAL SAVINGS	1.000	100.0%	1.918	99.9%	2.263	100.1%	
GOAL	1.00		1.92		2.26		

COMMERCIAL / INDUSTRIAL DEMAND-SIDE MANAGEMENT PROGRAMS

GoodCents Commercial Buildings: Efficiency program that certifies commercial buildings meeting efficiency requirements higher than Florida Model Energy Code standards. Includes both HVAC efficiency and thermal envelope standards.

Technical Assistance Audit: Interactive program that assists commercial customers in identifying energy conservation opportunities. Customized to meet individual needs of large customers. FPUC evaluates customer’s facility operation, equipment, and energy usage pattern.

Indoor Efficient Lighting Rebate: Promotes efficient lighting retrofit applications having demand savings of at least 1000 watts per lighting source (lamp and ballast). FPUC pays cash allowance of 10 cents per watt reduced.

COMMERCIAL / INDUSTRIAL DEMAND-SIDE MANAGEMENT PROGRAMS

DSM PROGRAM	Summer Peak Demand		Winter Peak Demand		Annual Energy Consumption		Benefit / Cost Ratio (RIM)
	Savings (MW)	% of Goal	Savings (MW)	% of Goal	Savings (GWh)	% of Goal	
GoodCents Commercial Buildings	0.558	33.0%	0.043	4.1%	1.040	23.1%	1.66
Technical Assistance Audit	0.640	37.9%	0.640	61.5%	2.355	52.2%	N/A
Indoor Efficient Lighting Rebate	0.492	29.1%	0.358	34.4%	1.118	24.8%	1.27
TOTAL SAVINGS	1.690	100.0%	1.041	100.1%	4.513	100.1%	
GOAL	1.69		1.04		4.51		

EDUCATIONAL AND RESEARCH DEMAND-SIDE MANAGEMENT PROGRAMS

Low Income: Provides basic energy education on low cost or no cost energy conservation measures. Informs customers of other services provided by FPUC, including energy surveys.

Affordable Housing Builders and Providers: Provides educational seminars to affordable housing contractors in FPUC's territory. FPUC works with the Florida Energy Extension Service and other seminar sponsors to offer a minimum of two seminars per year. Seminar topics include energy efficient construction, retrofit programs, and financing programs.

Conservation Demonstration and Development (CDD): Umbrella program for the identification, development, demonstration, and evaluation of promising new end-use energy efficiency and conservation technologies. Program expenses are capped at \$30,000 per year, with a \$15,000 annual cap on expenditures for any single project. FPUC will not count any kW and kWh savings from the CDD program towards meeting its numeric conservation goals.