

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy conservation cost recovery clause. | DOCKET NO. 080002-EG
ORDER NO. PSC-08-0783-FOF-EG
ISSUED: December 1, 2008

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

APPEARANCES:

R. WADE LITCHFIELD, ESQUIRE, JOHN T. BUTLER, ESQUIRE, and
CARLA G. PETTUS, ESQUIRE, 700 Universe Boulevard, Juno Beach, Florida
33408-0420

On behalf of Florida Power & Light Company (FPL).

NORMAN H. HORTON, JR., ESQUIRE, Messer, Caparello & Self, P.A., Post
Office Box 15579, Tallahassee, Florida 32317

On behalf of Florida Public Utilities Company (FPUC).

JEFFREY A. STONE, ESQUIRE, RUSSELL A. BADDERS, ESQUIRE, and
STEVEN R. GRIFFIN, ESQUIRE, Beggs & Lane, Post Office Box 12950,
Pensacola, Florida 32591-2950

On behalf of Gulf Power Company (Gulf).

JOHN T. BURNETT, ESQUIRE, Associate General Counsel, Progress Energy
Service Co., LLC, Post Office Box 14042, St. Petersburg, Florida 33733-4042

On behalf of Progress Energy Florida, Inc. (PEF).

LEE L. WILLIS, ESQUIRE, and JAMES D. BEASLEY, ESQUIRE, Ausley &
McMullen, Post Office Box 391, Tallahassee, Florida 32302

On behalf of Tampa Electric Company (TECO).

PATRICIA A. CHRISTENSEN, ESQUIRE, Associate Public Counsel, JOSEPH
A. MCGLOTHLIN, ESQUIRE, Associate Public Counsel, and STEPHEN C.
BURGESS, ESQUIRE, Associate 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 (OPC).

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

JOHN W. MCWHIRTER, JR., ESQUIRE, McWhirter, Reeves & Davidson, P.A.,
400 North Tampa Street, Suite 2450, Tampa, Florida 33602
On behalf of the Florida Industrial Power Users Group (FIPUG).

KATHERINE E. FLEMING, ESQUIRE, Florida Public Service Commission,
2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
On behalf of the Florida Public Service Commission (Staff).

FINAL ORDER APPROVING ENERGY CONSERVATION COST RECOVERY AMOUNTS
AND ESTABLISHING ENERGY CONSERVATION COST RECOVERY FACTORS FOR
THE PERIOD JANUARY 2009 THROUGH DECEMBER 2009

BY THE COMMISSION:

As part of our continuing energy conservation cost recovery proceedings, an administrative hearing was held November 4, 2008, in this docket. The parties submitted testimony and exhibits in support of their proposed final and estimated true-up amounts and their conservation cost recovery factors. The Office of Public Counsel (“OPC”) and the Florida Industrial Power Users Group (“FIPUG”) also participated in this proceeding. Prior to hearing, the parties reached agreement concerning all issues identified for resolution at hearing. These issues were presented to us as a stipulation. We have jurisdiction over the subject matter by the provisions of Chapter 366, Florida Statutes, including Sections 366.04, 366.05, 366.06 and 366.082, Florida Statutes.

The parties stipulated to the final and estimated true-up amounts and conservation cost recovery factors appropriate for each utility. We accept and approve the stipulations as reasonable and supported by competent, substantial evidence of record as set forth below.

We find that the appropriate final conservation cost recovery true-up amounts for the period January 2007 through December 2007 are as follows:

Florida Power & Light Company	\$4,285,620	Underrecovery
Florida Public Utilities Company	\$18,012	Overrecovery
Gulf Power Company	\$1,597,656	Overrecovery
Progress Energy Florida, Inc.	\$1,646,442	Overrecovery
Tampa Electric Company	\$566,948	Overrecovery

We find that the appropriate actual/estimated conservation cost recovery true-up amounts for the period January 2008 through December 2008 are as follows:

Florida Power & Light Company	\$17,197,367	Underrecovery
Florida Public Utilities Company	43,660	Underrecovery
Gulf Power Company	\$1,248,047	Overrecovery
Progress Energy Florida, Inc.	\$1,589,434	Overrecovery
Tampa Electric Company	\$147,136	Overrecovery

We find that the appropriate total conservation cost recovery amounts to be collected during the period January 2009 through December 2009 are as follows:

Florida Power & Light Company	\$205,084,073
Florida Public Utilities Company	\$597,991
Gulf Power Company	\$9,687,579
Progress Energy Florida, Inc.	\$82,097,033
Tampa Electric Company	\$18,401,850

We find the appropriate conservation cost recovery factors for the period January 2009 through December 2009 are as follows:

FPL	Rate Class	ECCR Factor (Cents/kWh)
	RS1/RST1	0.203
	GS1/GST1	0.204
	GSD1/GSDT1/HLTF (21-499kW)	0.186
	OS2	0.162
	GSLD1/GSLDT1/CS1/CST1/HLTF (500-1,999 kW)	0.180
	GSLD2/GSLDT2/CS2/CST2/HLTF (2,000+kW)	0.170
	GSLD3/GSLDT3/CS3/CST3	0.160
	ISST1D	0.150
	ISST1T	0.147
	SST1T	0.147
	SST1D1/SST1D2/SST1D3	0.150
	CILC D/CILC G	0.167
	CILC T	0.160
	MET	0.187
	OL1/SL1/PL1	0.098
	SL2, GSCU1	0.154

FPUC	Rate Class	ECCR Factor
	(Consolidated)	0.078 cents/Kwh

GULF	Rate Class	ECCR Factor
	RS, RSVP	0.085 cents/Kwh
	GS	0.083 cents/Kwh
	GSD, GSDT, GSTOU	0.080 cents/Kwh
	LP, LPT	0.076 cents/Kwh
	PX, PXT, RTP, SBS	0.073 cents/Kwh
	OSI, OSII	0.066 cents/Kwh
	OSIII	0.075 cents/Kwh

PEF	Rate Class	ECCR Factor
	Residential	0.223 cents/Kwh
	General Svc. Non-Demand	0.202 cents/Kwh
	@ Primary Voltage	0.200 cents/Kwh
	@ Transmission Voltage	0.198 cents/Kwh
	General Svc. 100% Load Factor	0.164 cents/Kwh
	General Svc. Demand	0.182 cents/Kwh
	@ Primary Voltage	0.180 cents/Kwh
	@ Transmission Voltage	0.178 cents/Kwh
	Curtaillable	0.153 cents/Kwh
	@ Primary Voltage	0.151 cents/Kwh
	@ Transmission Voltage	0.150 cents/Kwh
	Interruptible	0.169 cents/Kwh
	@ Primary Voltage	0.167 cents/Kwh
	@ Transmission Voltage	0.166 cents/Kwh
	Lighting	0.102 cents/Kwh

TECO	Rate Class	ECCR Factor (Cents/kWh)*
	Interruptible	0.050
	Residential	0.106
	General Svc., TS	0.102
	General Svc. Demand	0.086
	@ Primary Voltage	0.085
	General Svc. LD, SBF	0.079
	@ Primary Voltage	0.078
	@ Subtransmission Voltage	0.077
	SL, OL	0.040

*The factors are subject to change pending the resolution of certain rate design modifications in TECO's pending base rate proceeding in Docket No. 080317-EI.

We find that these factors shall be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2009 through December 2009. Billing cycles may start before January 1, 2009, and the last cycle may be read after December 31, 2009, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

Company Specific Conservation Cost Recovery Issues

Tampa Electric Company

We find that Tampa Electric Company's Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders for the period January 2009 through December 2009 are as follows:

In accordance with Order No. PSC-99-1778-FOF-EI, issued September 10, 1999, in Docket No. 990037-EI, the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders will be \$10.91 per KW for the period January 2009 through December 2009.

We find that Tampa Electric Company's residential Price Responsive Load Management (RSVP-1) rate tiers for the period January 2009 through December 2009 are as follows:

In accordance with Order No. PSC-07-0740-TRF-EG, issued September 17, 2007, in Docket No. 070056-EG, the rate tiers for RSVP-1 will be as follows:

Rate Tier	Cents/kWh*
P4	57.802
P3	10.264
P2	(1.419)
P1	(3.856)

*The rate tiers for RSVP-1 are subject to change pending the resolution of certain rate design modifications in TECO's pending base rate proceeding in Docket No. 080317-EI.

Based on the foregoing, it is

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

ORDERED that each utility that was a party to this docket shall abide by the stipulations, findings, and rulings herein which are applicable to it. It is further

ORDERED that the utilities named herein 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 2009 through December 2009. Billing cycles may start before January 1, 2009, and the last cycle may be read after December 31, 2009, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

By ORDER of the Florida Public Service Commission this 1st day of December, 2008.



ANN COLE
Commission Clerk

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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 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 Office of Commission Clerk, 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 Office of Commission Clerk, 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.