



**D. STATEMENT OF BASIC POSITION**

PCS Phosphate supports the proposals by FIPUG and Wal-Mart to separate the energy efficiency and load management segments of Florida utilities' DSM plans, and to allow qualifying large non-residential customers to opt out of the energy efficiency portion of the ECCR charge. The witnesses for these intervenors are unquestionably correct that the performance terms and requirements of demand response/ load management programs permit utilities to rely on load reductions from those programs for both resource planning and operations purposes and thus provide reliable system-wide benefits. Further, it is equally correct that utility energy efficiency programs are intended to promote cost-effective measures that would not otherwise be implemented due to market (pricing) issues, inadequate customer information and education concerning the availability of such measures, and other market imperfection concerns that do not in any respect apply to energy intensive manufacturing customers that are highly motivated by intense competitive pressures to identify and pursue energy efficiency investments and practices on their own. Moreover, utility energy efficiency measures typically are not designed to address process efficiency improvements in the operations of energy intensive manufacturers (because the customer possesses superior information concerning its processes, potential areas of improvements, and the costs to achieve them). Allowing those customers to self-direct their efficiency efforts will increase the reported energy savings in Florida by better capturing large customer's own efficiency actions, and will contribute to the economic competitiveness of those customers by eliminating the double payment in efficiency costs that now occurs (i.e., they pay for energy efficiency through the ECCR charge and through their own self-funded efforts). PCS generally supports the opt-out eligibility criteria described by FIPUG witness Pollock as reasonable and appropriate.

**E. STATEMENT ON SPECIFIC ISSUES**

**GENERIC LEGAL ISSUE**

**ISSUE A:** For each utility, what is the appropriate end date for the Commission's approved solar pilot programs?

**PCS Phosphate:** No position.

**GENERIC CONSERVATION COST RECOVERY ISSUES**

**ISSUE 1:** What are the final conservation cost recovery true-up amounts for the period January 2013 through December 2013?

**PCS Phosphate:** PCS agrees with the Office of Public Counsel.

**ISSUE 2:** What are the total conservation cost recovery amounts to be collected during the period January 2015 through December 2015?

**PCS Phosphate:** PCS agrees with FIPUG.

**ISSUE 3:** What are the conservation cost recovery factors for the period January 2015 through December 2015?

**PCS Phosphate:** PCS agrees with FIPUG.

**ISSUE 4:** What should be the effective date of the new conservation cost recovery factors for billing purposes?

**PCS Phosphate:** No position.

**ISSUE 4A:** Should the Commission require the utilities to separate their Energy Conservation Cost Recovery expenditures into two categories, one for Energy Efficiency programs and the other for Demand Side Management programs?

**PCS Phosphate:** Yes. PCS agrees with FIPUG and Wal-Mart that this separation should be implemented.

**ISSUE 4B:** Should the Commission allow pro-active non-residential customers who implement their own energy efficiency programs and meet certain other criteria to opt out of the utility's Energy Efficiency programs and not be required to pay

the cost recovery charges for the utility's Energy Efficiency programs approved by the Commission pursuant to Section 366.82, Florida Statutes?

**PCS Phosphate:** Yes. PCS agrees with Wal-Mart and FIPUG.

**ISSUE 4C:** If the Commission allows pro-active customers to opt out of participating in, and paying for, a utility's Energy Efficiency programs, what criteria should the Commission apply in determining whether customers who wish to opt out are eligible to do so?

**PCS Phosphate:** PCS generally agrees with the eligibility criteria described by FIPUG.

### **COMPANY SPECIFIC CONSERVATION COST RECOVERY ISSUE**

#### **Tampa Electric Company**

**ISSUE 1:** What is the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders for Tampa Electric Company for the period January 2015 through December 2015?

**PCS Phosphate:** No position.

**ISSUE 2:** What are the residential Price Responsive Load Management (RSVP -1) rate tiers for Tampa Electric Company for the period January 2015 through December 2015?

**PCS Phosphate:** PCS agrees with the Office of Public Counsel.

#### **F. STIPULATED ISSUES**

PCS Phosphate is not a party to any stipulated issues.

#### **G. PENDING MOTIONS**

None.

#### **H. PENDING REQUESTS OR CLAIMS FOR CONFIDENTIALITY**

None.

#### **I. OBJECTIONS TO QUALIFICATIONS OF WITNESS AS EXPERT**

None at this time.

**J. REQUIREMENTS OF ORDER ESTABLISHING PROCEDURE**

There are no requirements of the *Procedural Order* with which PCS Phosphate cannot comply.

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*s/ James W. Brew*

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Dated: September 26, 2014

### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been furnished by electronic mail and/or U.S. Mail this 26th day of September, 2014, to the following:

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