

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Florida Power)	DOCKET NO. 891045-EG
& Light Company for approval of a)	ORDER NO. 22837
Permanent Commercial/Industrial Load)	ISSUED: 4-18-90
Control program eligible for energy)	
conservation cost recovery.)	

ORDER GRANTING SEVERANCE FROM PAA

On March 28, 1990 we issued a proposed agency action (PAA) order approving the Commercial/Industrial Load Control program (CILC) in this docket. In that order we provided that in the event the Order was protested the existing trial CILC program would remain in effect until the resolution of the protest.


There is some question as to whether a protest of the proposed agency action would have the effect of preventing the efficacy of the entire PAA, including those provisions which were intended to extend the trial program until the resolution of any protest. Therefore, in an abundance of caution we have decided to sever from our PAA order that portion of the order which would extend the trial CILC program should there be a protest of the PAA. Therefore it is

ORDERED that the portion of Order No. 22067 which provides that Florida Power & Light Company's trial Commercial/Industrial Load Control program will remain effective in the event Order No. 22067 is protested is hereby severed from Order No. 22067.

It is further

ORDERED that Florida Power & Light Company's trial Commercial/Industrial Load Control program be extended until such time as the permanent program becomes effective, or in the event that Order No. 22067 is protested, until final resolution of the protest.

BY ORDER of Chairman Michael McK. Wilson, Prehearing Officer, this 18th day of APRIL, 1990.


Chairman Michael McK. Wilson,
Prehearing Officer

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FPSC-RECORDS/REPORTING