

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Temporary)	DOCKET NO. 900938-EG
Modification of its Heating and)	ORDER NO. 24052
Cooling Program by Tampa Electric))	ISSUED: 2/1/91
Company.)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
 BETTY EASLEY
 GERALD L. GUNTER
 FRANK S. MESSERSMITH
 MICHAEL MCK. WILSON

NOTICE OF PROPOSED AGENCY ACTION

ORDER APPROVING TECO'S TEMPORARY MODIFICATION
TO THEIR HEATING AND COOLING PROGRAM

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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On November 8, 1990, in Docket No. 900104-EG, the Commission issued Order No. 23735 which approved Tampa Electric Company's (TECO) energy conservation plan. Included in this plan is TECO's Heating and Cooling Program. This program, which was recently reapproved, offers incentives paid on qualifying units to participating heating and air conditioning dealers and reinstates participating customer rebates. The customer rebates had been phased out pursuant to TECO's July 25, 1988 petition but they were reinstated after TECO determined that there had been a dramatic reduction in the number of qualifying high efficiency heating and cooling units installed during the 18 months period where the rebates were not in place.

TECO has now asked the Public Service Commission (the Commission) to grant a temporary 6 month modification of the Seasonal Energy Efficiency Ratio (SEER) from the current minimum rate of 10.0 to a 9.0 SEER for package heat pumps and air

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conditioner installed in mobile homes. Under this proposal the rebate would also be lowered from \$250.00 to \$225.00 for each unit in 9.0 to 10.0 SEER range installed before July 1, 1991. This rebate reduction recognizes the fact that lower demand and energy savings would be expected from such units.

When selecting the original SEER standards, TECO consulted various manufacturers, trade groups and the American Refrigeration Institute before it made a determination. The data gathered at that time showed that there was equipment available to meet the new 10.0 SEER standard. After the standards were put in place, however, it was determined that there exists a significant market relating to mobile home installations which do not contain reasonable numbers of manufacturers available for customer equipment selection. In fact, TECO is aware of only 2 manufacturers for heat pumps and none for central air conditioners which have qualifying equipment available. Thus, this modification of the SEER seems appropriate.

This proposed modification will not effect the cost-effectiveness of the program since there will be only a small order of difference in savings. The Heating and Cooling Program is monitorable and will continue to aid TECO in meeting the FEECA goals. Therefore, in order to address the problem of equipment availability and to afford reasonable notice to manufacturers regarding the need for more efficient single package heat pumps and air conditioners, we hereby approve TECO's temporary modification to their Heating and Cooling Program.

In consideration of the foregoing, it is

ORDERED that TECO's abovementioned proposed modification to their Cooling and Heating Program is hereby approved. It is further

ORDERED that the modification is to be in effect only for 6 months from the date of this Order. It is further

ORDERED that this Order shall become final unless an appropriate petition for formal proceeding is received by the Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date indicated in the Notice of Further Proceedings or Judicial Review.

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By Order of the Florida Public Service Commission, this
1st day of FEBRUARY, 1991.


STEVE TRIBBLE Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), 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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on February 25, 1991.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or sewer utility by filing a notice of appeal with the Director, Division of Records and Reporting 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 of the effective date 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.