

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Emergency petition of) DOCKET NO. 920924-EG
Florida Power and Light Company) ORDER NO. PSC-92-1005-FOF-EG
for modification of residential) ISSUED: 09/21/92
high efficiency HVAC Systems,)
conservation water heating, and)
conservation home energy loss)
prevention programs.)
_____)

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, Chairman
J. TERRY DEASON
BETTY EASLEY
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION

ORDER APPROVING MODIFICATIONS OF CONSERVATION PROGRAMS

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.

BACKGROUND

In Order No. 23560, this Commission approved Florida Power and Light Company's (FPL) Conservation Water Heating program, and Residential High Efficiency HVAC Systems program. Also, in Order No. 25258, the Commission approved FPL's Home Energy Loss Prevention program (HELP).

FPL PROPOSAL

On September 11, 1992, FPL filed with this Commission a request to modify program participation standards for the Conservation Water Heating program, Residential High Efficiency HVAC Systems program, and the Home Energy Loss Prevention program. These revisions are intended to respond to the damage caused by Hurricane Andrew in Dade County. These programs, as revised, will be available only to customers in Dade County to assist those residents in the re-construction of energy efficient homes. FPL has an additional revision to its HELP program - Duct System Testing and Repairs which is not limited to Dade County customers.

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According to FPL the revised standards for Dade County are intended to assist in the installation of energy efficient equipment in homes damaged by Hurricane Andrew. A revision common to the three programs for Dade County is that the residents must have an active account with FPL, where previously, the residence had to have been served by FPL for at least one year. This revision will allow participation by those customers who must completely rebuild their homes.

The Conservation Water Heating program provides incentives for the replacement of electric resistance water heaters with heat recovery units, and solar water heaters. In addition to the revision mentioned above, FPL proposes to allow participation by customers who previously received an incentive as part of the program.

The Residential High Efficiency HVAC Systems program provides incentives for the installation of high efficiency heat pumps, central air conditioning systems. Under FPL's HVAC program, only units with a minimum SEER of 11.0 can receive an incentive payment.

The HELP program - Duct System Testing and Repairs provides incentives for the identification and repairs of all leaks in residential duct systems. In addition to the revision mentioned above, FPL proposes to expand eligible housing to master metered single family attached dwellings. This change is applicable to the Dade County standard, and the standard throughout FPL's service territory.

FPL in its filing did not propose a term duration in which Dade County revised standards would be in effect. We find that a term of two years from the date of this Order is a reasonable period to capture the energy efficiency opportunities during the rebuilding of residences in Dade County. If FPL determines that the eligibility requirements need to be extended, it may petition the Commission for an extension.

We therefore find that FPL's request for modification of its program, with a provision for a two year term for the Dade County eligibility requirements be approved.

It is therefore,

ORDERED by the Florida Public Service Commission that Florida Power and Light Company's request for modification of certain conservation programs described in the body of this Order is approved. It is further

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ORDERED that the modification of the eligibility requirements for the Conservation Water Heating program and Residential High Energy HVAC system program applicable to only Dade County customers is approved for a two-year period.

ORDERED that this Order shall become final and this docket shall be closed 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.

By ORDER of the Florida Public Service Commission this 21st day of September, 1992.



STEVE TRISBLE, Director
Division of Records and Reporting

(S E A L)
MRC:bmi

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 October 12, 1992.

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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.

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 wastewater 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.