

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for waiver of) DOCKET NO. 920872-EI
25-6.0437, F.A.C., cost of) ORDER NO. PSC-92-1187-FOF-EI
service load research, by Tampa) ISSUED: 10/19/92
Electric Company.)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION

ORDER GRANTING PETITION FOR WAIVER
OF THE STANDARD FOR LOAD RESEARCH IN RULE 25-6.0437, F.A.C.,
BY TAMPA ELECTRIC COMPANY

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.

Rule 25-6.0437, Florida Administrative Code, was instituted to ensure a minimum level of precision or reliability of estimates of rate classes' peak hour demands used for cost of service studies. The four major investor-owned utilities are required by this rule to file revised sampling plans for load studies no less than every two years after the initial sampling plan is approved. This rule requires the sampling plan to be designed to provide estimates for each sampled rate class of the summer and winter peak hour demands and the average of the 12 monthly coincident peak hour demands, within plus or minus 10 percent at the 90 percent confidence level. The rule provides that any subject utility may apply to the Commission to waive these requirements for any specific rate class.

Pursuant to the rule, TECO filed its fourth sampling plan on July 14, 1992, and a petition for a waiver of the rule for its General Service Non-Demand (GS) rate class on August 28, 1992.

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Specifically, TECO has requested that the sample of the GS rate class be designed to yield an estimate of the winter peak hour within plus or minus 12 percent (rather than the required 10 percent) at the 90 percent confidence level. The company has estimated that increasing the sample size to achieve the required 10 percent relative precision would necessitate an increase of 46 sample points for the GS class, thereby increasing the annual costs associated with the sampling plan by about \$25,000.

Waiver of the rule on load research is granted with respect to a particular season's single peak for a rate class only when the class peak hour for that class does not occur in that season and the Commission is not currently using for any utility a cost of service methodology that allocates production plant on a single peak hour (1 CP). The first condition ensures reasonably that the estimate of the class peak which is used to develop the allocation factor for distribution plant can be expected to be as precise as required by the rule. The latter condition ensures that estimates of the demands used to develop allocation factors for production plant can be expected to be as precise as specified by the rule. Both of these conditions exist at this time with respect to the waiver requested by TECO for its GS class. We have approved the same request by the Florida Power and Light Company for waiver of the rule for its GS class in 1986, 1988 and 1990. Accordingly, we grant the petition for waiver of Rule 25-6.0437, Florida Administrative Code.

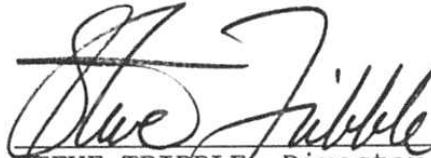
It is, therefore,

ORDERED by the Florida Public Service Commission that the petition filed by Tampa Electric Company for waiver of the standard for load research in Rule 25-6.0437, Florida Administrative Code, for the General Service Non-Demand Class for the winter peak hour is granted, as discussed within the body of this Order. It is further

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.

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By ORDER of the Florida Public Service Commission this 19th
day of October, 1992.



STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

DLC: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 November 9, 1992.

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.

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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.