

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Tampa ) DOCKET NO. 921148-EG  
Electric Company for approval of ) ORDER NO. PSC-93-0417-FOF-EG  
a demand side management ) ISSUED: 03/17/93  
research and development )  
program. )  
\_\_\_\_\_)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman  
THOMAS M. BEARD  
SUSAN F. CLARK  
JULIA L. JOHNSON  
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION  
ORDER GRANTING PETITION

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.

In Order No. 22176 this Commission indicated ". . .that further [conservation] savings can be realized if the state's electric utilities . . . pursue research, development, and demonstration projects designed to promote energy efficiency and conservation." On November 4, 1992 TECO petitioned the Commission for approval of its demand side management (DSM) research and development program (R&D). The proposed program is directed at commercial end-use analysis, which could provide long-needed information on demand and energy use by large customer class; and field testing to evaluate the efficiency of HVAC systems and to demonstrate the small commercial application of thermal energy storage systems.

- TECO requests approval of an annual expenditure under the DSM R&D program of \$500,000 for three years beginning with the ECCR cost recovery period commencing April 1, 1993. TECO also requests it be allowed to add or subtract expenditures between years so that in one year the budgeted annual amount of ~~the program~~ might be

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FPSC-RECORDS/REPORTING

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exceeded. We have reviewed this request and agree with our Staff that although the nature of R&D programs generally requires flexibility in their spending patterns, we find the program should be limited to \$500,000 over a two-year period, with a maximum expenditure of \$1,000,000. At the end of the second year, TECO shall report its results to the Commission and obtain approval for continuing its DSM R&D funding.

Based upon the foregoing, it is

ORDERED that the petition of Tampa Electric Company for authority to implement a demand side management research and development program as an approved conservation program is approved as modified in the body of this Order. It is further

ORDERED that this Order shall become final and this docket 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 17th day of March, 1993.

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STEVE TRIBBLE, Director  
Division of Records and Reporting

( S E A L )  
MRC:bmi

by: Kay Jeyan  
Chief, Bureau of Records

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.

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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 April 7, 1993.

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.