

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition to extend) DOCKET NO. 950358-EG
BuildSmart Offerings through) ORDER NO. PSC-95-0611-FOF-EG
12/31/95 by Florida Power &) ISSUED: May 19, 1995
Light Company.)
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING REQUEST FOR RULING

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

CASE BACKGROUND

On December 15, 1992 we approved Florida Power & Light's (FPL's) New Home Construction R&D Project in Docket No. 921034-EG, Order No. PSC-92-1451-FOF-EG. At that time the program was expected to end during the first quarter of 1995. The objective of the R&D Project was to investigate, quantify and determine the cost-effectiveness of the conservation opportunities available in the residential, detached, single-family home construction market. One area of inquiry during the project was the BuildSmart offerings which were targeted towards the Southwest portion of FPL's territory.

On March 31, 1995 FPL filed the above captioned Petition. The BuildSmart portion of the New Home Construction Program Project was used to evaluate the impact of education, inspections and certification on new home construction energy-efficiency. In the BuildSmart program FPL educates builders and customers about energy-efficiency building practices and their benefits, performs

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new home inspections to verify installations, rates the homes for their energy-efficiency, and provides certificates for qualifying new homes (homes that exceed Energy Efficiency Code requirements by more than 10% - Bronze Certificates, 20% - Silver Certificates, and 30% - Gold Certificates). This program has been offered in Charlotte, Lee, Glades, Hendry and Collier counties and to date 64 homes have been certified. FPL, in filing this Petition, is requesting continuation of the BuildSmart portion of the New Home Construction Research Project through December 31, 1995 in anticipation of continuing the BuildSmart Program system-wide in 1996.

DECISION

FPL is in the process of completing the New Home Construction Research Project and preliminary experience suggests that the BuildSmart program should prove cost-effective. However, FPL is not finished with the analysis of the BuildSmart program and wishes to incorporate the BuildSmart program into the analysis of FPL's Integrated Resource Planning (IRP) process, which will not be completed until the last quarter of 1995. Integrating the BuildSmart program into the IRP process should provide adequate time for completing the analysis of research data, integration of the program into FPL's IRP process, Commission review and approval of a system-wide program, training, orientation, procedures and standards development, tracking system and database enhancement, and advertising and promotional efforts before program roll-out.

Under the current New Home Construction Research Project, BuildSmart expenses will be covered under ECCR through May 1995. In order to complete the BuildSmart program as envisioned above, FPL requests continuation of the program and its recovery through ECCR of approximately \$380,000 through December 1995. We support continuation of funding of the BuildSmart program through December 1995. Additionally, we hold that FPL should continue to submit the quarterly reports as they have been in the New Home Construction Research Project.

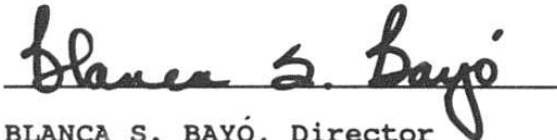
Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that FPL's request to extend the BuildSmart portion of the New Home Construction Research Project and the concurrent recovery of the reasonable and prudent expenditures through the Energy Conservation Cost Recovery Clause is approved. It is further

ORDERED that in the event this Order becomes final, this docket should be closed.

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By ORDER of the Florida Public Service Commission, this 19th
day of May, 1995.



BLANCA S. BAYÓ, 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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on June 9, 1995.

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 substantially 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.