

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for) DOCKET NO. 951352-EI
modification of experimental) ORDER NO. PSC-96-0027-FOF-EI
real time pricing rate, Rate) ISSUED: January 8, 1996
Schedule RTP-GX, by Florida)
Power & 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

ORDER APPROVING TARIFF MODIFICATION

BY THE COMMISSION:

Florida Power & Light Company's (FPL) experimental real time pricing RTP-GX rate is presently available only to customers whose monthly demands exceed 1,500 kw. The tariff limits the total number of customers on the rate to 50. To date, only 4 customers are participating in the program, and FPL only expects another 6 to 8 customers to participate the way the program is presently structured. FPL believes that in order to conduct a meaningful experiment it needs at least twenty to twenty-five customers on the RTP-GX rate. In order to obtain the additional customers, FPL proposes to lower the required minimum monthly demand to qualify for the rate from 1,500 kw to 1,000 kw. This change will expand the number of customers eligible for the rate from the current 150 to 425. None of the other terms and conditions under the RTP-GX rate schedule are affected by the proposed change.

We find that the proposed change is acceptable, and we approve it, effective December 19, 1995. The change will enable FPL to sign up a sufficient number of customers to allow for a meaningful experiment to determine whether the RTP-GX rate is a cost-effective conservation program. It is therefore

ORDERED that Florida Power & Light Company's proposed modification to its experimental real time pricing rate, Rate Schedule RTP-GX is approved. It is further

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ORDERED that the proposed modification is effective as of December 19, 1995. It is further

ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

ORDERED that if no protest is filed in accordance with the requirement set forth below, this docket shall be closed.

By ORDER of the Florida Public Service Commission, this 8th day of January, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Jeyan
Chief, Bureau of Records

(S E A L)

MCB

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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida

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Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, by the close of business on January 29, 1996.

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 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 date this Order becomes final, 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.