

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Approval of) DOCKET NO. 960897-EI
a New Demand-Side Management) ORDER NO. PSC-97-0093-FOF-EI
Program, the Commercial Mail-In) ISSUED: January 27, 1997
Energy Audit Program, by Gulf)
Power Company.)
_____)

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING ENERGY AUDIT PROGRAM

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.

The Florida Energy Efficiency and Conservation Act (FEECA), Sections 366.80 - 366.85, Florida Statutes, requires us to adopt goals to reduce and control the growth rates of electric consumption and weather-sensitive peak demand. In Docket No. 930551-EG, we set numeric demand-side management (DSM) goals for Gulf Power Company (Gulf). We approved the DSM Plan that Gulf had designed to meet these goals in Docket No. 941172-EG. One of the programs included in Gulf's DSM Plan is a Commercial Energy Audit, a walk-through audit performed on-site.

In Docket No. 960171-EI, Gulf petitioned for our approval of the Business Edge program. The purpose of that program was twofold: (1) to allow Gulf to collect energy usage data in order to make energy conservation recommendations; and (2) to allow Gulf to gather demographic data from program participants to provide marketing and environmental information to small businesses. Commission staff expressed concerns that the program contained elements not pertaining to conservation and, thus, not appropriate for cost recovery through the Energy Conservation Cost Recovery

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(ECCR) Clause. Due to these concerns, Gulf withdrew its petition for approval of the Business Edge program on May 20, 1996, prior to our consideration of the program.

In place of the Business Edge program, Gulf filed a petition for approval of a Commercial Mail-In Energy Audit program, on August 7, 1996. This program will enable Gulf to solicit information on energy practices and business operations through a mail-in survey. The survey is expected to include questions on energy-consuming equipment and appliances, square footage of facilities, and hours of operation. Gulf anticipates that commercial customer response to the mail-in audit will be greater than current response to the existing Commercial Energy Audit. While the mail-in audit will be available to all commercial customers, Gulf initially plans to target customers with billing demands of 150 Kw or less, because these customers are less likely to request a walk-through audit.

While we do have some concerns that the program is marginally cost-effective and that it could be used to target specific at-risk commercial customers, we find that, overall, the Commercial Mail-In Energy Audit Program conforms with Gulf's approved DSM plan and advances the policy objectives of FEECA. As such, we hereby approve Gulf's Commercial Mail-In Energy Audit Program.

Based on the foregoing, it is therefore

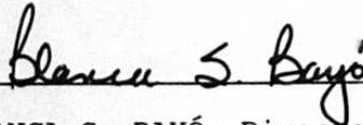
ORDERED by the Florida Public Service Commission that Gulf Power Company's proposed Commercial Mail-In Energy Audit Program is approved. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

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By ORDER of the Florida Public Service Commission, this 27th
day of January, 1997.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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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, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on February 17, 1997.

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.