

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Amendment of
Rule 25-17.015, F.A.C., Energy
Conservation Cost Recovery.

DOCKET NO. 961378-EG
ORDER NO. PSC-97-1371-FOF-EG
ISSUED: October 29, 1997

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF ADOPTION OF RULE

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted amendments to Rule 25-17.015, Florida Administrative Code, relating to energy conservation cost recovery with changes.

The rule amendments were filed with the Department of State on October 27, 1997 and will be effective on November 17, 1997. A copy of the rule as filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

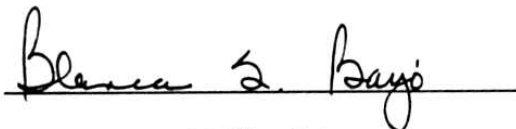
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FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 29th
day of October, 1997.

A handwritten signature in cursive script, reading "Blanca S. Bayó", is written over a horizontal line.

BLANCA S. BAYÓ, Director
Division of Records & Reporting

(S E A L)

MAH

25-17.015 Energy Conservation Cost Recovery.

(1) The Commission shall conduct annual energy conservation cost recovery (ECCR) proceedings during the first quarter of each calendar year. Each utility over which the Commission has ratemaking authority may seek to recover its costs for energy conservation programs. Each utility seeking cost recovery shall file the following at the times directed by the Commission:

(a) An annual final true-up filing showing the actual common costs, individual program costs and revenues, and actual total ECCR revenues for the most recent 12-month historical period from April 1 through March 31 that ends prior to the annual ECCR proceedings. As part of this filing, the utility shall include a summary comparison of the actual total costs and revenues reported to the estimated total costs and revenues previously reported for the same period covered by the filing in paragraph (1)(b). The filing shall also include the final over- or under-recovery of total conservation costs for the final true-up period.

(b) An annual estimated/actual true-up filing showing eight months actual and four months projected common costs, individual program costs, and any revenues collected. Actual costs and revenues should begin April 1 immediately following the period described in paragraph (1)(a). The filing shall also include the

estimated/actual over- or under-recovery of total conservation costs for the estimated/actual true-up period.

(c) An annual projection filing showing 12 months projected common costs and program costs for the period beginning April 1 following the annual hearing.

(d) An annual petition setting forth proposed energy conservation cost recovery factors to be effective for the 12-month period beginning April 1 following the hearing. Such proposed cost recovery factors shall take into account the data filed pursuant to paragraphs (1)(a), (1)(b), and (1)(c).

(e) Within the 90 days that immediately follow the first six months of the reporting period in paragraph (1)(a), each utility shall report the actual results for that period on Form PSC/EAG/44 (X/97), entitled, Energy Conservation Cost Recovery Annual Short Form, which is incorporated by reference in this rule, and may be obtained from the Director, Division of Electric and Gas, Florida Public Service Commission.

(2) Each utility shall establish separate accounts or subaccounts for each conservation program for purposes of recording the costs incurred for that program. Each utility shall also establish separate subaccounts for any revenues derived from specific customer charges associated with specific programs.

(3) A complete list of all account and subaccount numbers used for conservation cost recovery shall accompany each filing in paragraph (1)(a).

(4) New programs or program modifications must be approved prior to a utility seeking cost recovery. Specifically, any incentives or rebates associated with new or modified programs may not be recovered if paid before approval. However, if a utility incurs prudent implementation costs before a new program or modification has been approved by the Commission, a utility may seek recovery of these expenditures.

(5) Advertising expense recovered through energy conservation cost recovery shall be directly related to an approved conservation program, shall not mention a competing energy source, and shall not be company image enhancing. When the advertisement makes a specific claim of potential energy savings or states appliance efficiency ratings or savings, all data sources and calculations used to substantiate these claims must be included in the filing required by paragraph (1)(a). In determining whether an advertisement is "directly related to an approved conservation program", the Commission shall consider, but is not limited to, whether the advertisement or advertising campaign:

- (a) Identifies a specific problem;
- (b) States how to correct the problem; and

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(c) Provides direction concerning how to obtain help to alleviate the problem.

Specific Authority: 350.127(2), 366.05(1), F.S.

Law Implemented: 366.04(2)(f), 366.06(1), 366.82(3) & (5), F.S.

History: New 1/27/81, Amended 12/30/82, 3/27/86, formerly 25-17.15, Amended 8/21/90, 11/17/97.