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FPSC - Records/Reporting

MEMORANDUM

JANUARY 5, 1998

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (JAYE) *W RVE*

RE: DOCKET NO. 971462-EG - PETITION BY GULF POWER COMPANY FOR APPROVAL OF RATE SCHEDULE RESIDENTIAL SERVICE VARIABLE PRICING (RSVP) AND ASSOCIATED CUSTOMER AGREEMENT.

PSC-98-0028-PCO-EG

Attached is an Order Suspending Proposed Tariffs, with attachments, to be issued in the above referenced docket. (Number of pages in order - 4)

GAJ/js
Attachment
cc: Division of Electric and Gas (Ging, Haff)
I:971462or.gaj

see 2

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Gulf Power Company for approval of Rate Schedule Residential Service Variable Pricing (RSVP) and associated customer agreement.

DOCKET NO. 971462-EG
ORDER NO. PSC-98-0028-PCO-EG
ISSUED: January 5, 1998

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

ORDER SUSPENDING PROPOSED RATE SCHEDULE AND CUSTOMER AGREEMENT

BY THE COMMISSION:

Gulf Power Company's (Gulf) Advanced Energy Management (AEM) Program was previously approved by this Commission as part of the Company's Demand-Side Management Plan with Order No. PSC-95-0691-FOF-EG issued June 9, 1995. The Order stated in part that "[w]e instruct staff, however, to scrutinize this program in evaluating its cost effectiveness and the kW and kWh savings it achieves."

On November 6, 1997, Gulf filed a petition for approval of rate schedule Residential Service Variable Pricing (RSVP) and associated customer agreement. Gulf's petition cites approval of the program in Order No. 95-0691-FOF-EG. However, Gulf's petition to approve the RSVP tariff more closely resembles a request to modify its approved AEM program. The modified program contained in Gulf's proposed tariff differs from the pilot AEM program in a number of ways. For instance, the pilot program will be changed to a permanent program, the equipment costs have changed and the method for their recovery is different, the estimated kW and kWh savings are changed, the price charged to customers during "High Cost Hours (p₃)" has increased, and a new charge to the customer for removal of the equipment has been added.

DOCUMENT NUMBER DATE

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FILED IN THE OFFICE OF THE CLERK

ORDER NO. PSC-98-0028-PCO-EG
DOCKET NO. 971462-EG
PAGE 2

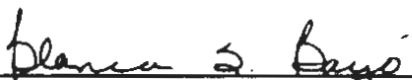
Because of the many changes in Gulf's petition compared to the original pilot approved in Order No. PSC-95-0691-FOF-EG, we suspend this filing to allow for further investigation and evaluation of the new program. This docket should remain open until we either approve or deny the proposed tariffs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the rate schedule Residential Service Variable Pricing (RSVP) and the associated customer agreement are suspended to allow for further investigation and evaluation. It is further

ORDERED that this docket will remain open pending either approval or denial of the proposed rate schedule and associated customer agreement. It is further

By ORDER of the Florida Public Service Commission this 5th day of January, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

GAJ

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

ORDER NO. PSC-98-0028-PCO-EG
DOCKET NO. 971462-EG
PAGE 3

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.