

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Petition for extension of residential load control pilot project, by Florida Power & Light Company. | DOCKET NO. 060174-EG
ORDER NO. PSC-06-0334-PCO-EG
ISSUED: April 24, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
J. TERRY DEASON
ISILIO ARRIAGA
MATTHEW M. CARTER II
KATRINA J. TEW

ORDER GRANTING TEMPORARY EXTENSION OF
RESIDENTIAL LOAD CONTROL PILOT PROGRAM

BY THE COMMISSION:

Background

As part of its Commission-approved Demand-Side Management Plan, Florida Power & Light Company (FPL or Company) offers a load management program known as the On-Call Program. Customers who choose to participate in this program receive incentive payments in exchange for allowing FPL to interrupt electric service to specified appliances. This program has been offered since 1986.

On March 6, 2003, in Order No. PSC-03-0322-TRF-EG, in Docket No. 030051-EG, In re: Petition for modification of residential on-call and for approval of residential load control pilot project by Florida Power & Light Company, the Commission approved modifications to the On-Call program. The modifications included closing the On-Call Program to new participants, and offering a new load management program known as the Residential Load Control Pilot Project (Pilot Program). Under the Pilot Program, some customer incentive payments were reduced.

The Pilot Program was approved for a three year period beginning April 1, 2003. After that date, any new customers who signed up for residential load management have been receiving incentives based on Rate Schedule RLP. In addition, any existing participants who move to a different location or make any change to the interruption schedule of their appliances would be paid incentives according to Rate Schedule RLP.

The three year approval for the Pilot Program expired on April 1, 2006. At the end of the period authorized for the program, FPL was required to submit recommendations based on

DOCUMENT NUMBER-DATE

03609 APR 24 8

FPSC-COMMISSION CLERK

program results. In compliance with that requirement, FPL filed a petition on March 1, 2006 requesting continuation of the Pilot Program.

The Company desires to offer this program without interruption, but review and analysis of the program's current status cannot be completed in time for us to address the request by early April, 2006. In order to continue to offer an incentive for customers who decide to participate in demand-side management, the Company filed a supplemental petition on March 14, 2006 to request interim, short term authorization to continue the program. We have jurisdiction pursuant to Sections 366.81 and 366.82, Florida Statutes.

Pilot Program Extension

The Pilot Program offers customers the opportunity to reduce their electric bills, and contributes to meeting FPL's capacity needs as defined in FPL's Demand Side Management Plan. For any period of time that new customers are not afforded an opportunity to enter into the Pilot Program, there is an apparent negative impact on those new customer participants and on the general body of ratepayers. To prevent the negative impacts, the interim extension of the program shall be effective April 1, 2006 and shall continue until the review and analysis of the program is completed.

Within its Petition requesting authorization for continuation of the Pilot Program on an interim basis, FPL recognizes an obligation as follows: "If the Commission ultimately does not approve FPL's petition for Extension filed on March 1, 2006, FPL would make appropriate adjustments to customer's bills and the ECCR clause accordingly." We find that the recovery of reasonable and prudent expenses for the interim program extension through FPL's Energy Conservation Cost Recovery (ECCR) Clause is appropriate. However, if we rule that the proposed extension is not warranted, a determination will be made as to the appropriate provisions by FPL that are required to make the customers whole.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Power & Light Company's request for an interim extension of its Residential Load Control Pilot Program is hereby granted as set forth in the body of this Order. It is further

ORDERED that Florida Power & Light Company's recovery of expenses associated with the interim extension through its Energy Conservation Recovery (ECCR) Clause is hereby granted, as set forth in the body of this Order. It is further

ORDERED that this docket should remain open.

By ORDER of the Florida Public Service Commission this 24th day of April, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: 
Kay Flynn, Chief
Bureau of Records

(S E A L)

KEF

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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

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 25-22.0376, Florida Administrative Code; or (2) 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 the Commission Clerk and Administrative Services, 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.