

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of a pilot small general service price responsive load management program, by Tampa Electric Company.	DOCKET NO. 090228-EG ORDER NO. PSC-09-0479-PCO-EG ISSUED: July 6, 2009
--	--

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

ORDER SUSPENDING TARIFF

BY THE COMMISSION:

On April 23, 2009, Tampa Electric Company (TECO) filed a petition requesting approval of a pilot Small General Service Price Responsive Load Management Program (pilot program). In the pilot program, commercial customers would be provided a smart thermostat, load control relay, and a network communication module. Customers would then be charged with rates varying by time of use. The pilot program is meant to collect and evaluate data on customer acceptance, as well as energy and demand savings of this variety of load management program for small commercial customers.

The pilot program is similar to TECO's Residential Price Responsive Load Management Program, approved by Order No. PSC-07-0740-TRF-EG, issued September 17, 2007, in Docket 070056, In re: Petition for approval of extension and permanent status of price responsive load management program, by Tampa Electric Company. The price period scheduling and rates would be identical, using a four-tier pricing structure. The purpose of this Order is to suspend the tariff. We have jurisdiction over this matter pursuant to Sections 366.06 and 366.80 through 366.82, Florida Statutes (F.S.).

This pilot program includes a new tariff schedule, GSVP-1 which would go into effect in 60 days from filing without action by this Commission. Pursuant to Section 366.06(3), F.S., we may withhold consent to the operation of all or any portion of a new rate schedule, delivering to the utility making the request a reason or written statement of good cause for doing so within 60 days. We hereby suspend the tariff to allow our staff sufficient time to review the petition in order to present us with an informed recommendation on the tariff proposal. We believe that this reason is good cause consistent with the requirements of Section 366.06(3), F.S.

DOCUMENT NUMBER-DATE

06754 JUL-6 8

FPSC-COMMISSION CLERK

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Tampa Electric Company's Small General Service Price Responsive Load Management Pilot Program tariff is hereby suspended. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 6th day of July, 2009.



ANN COLE
Commission Clerk

(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.

ORDER NO. PSC-09-0479-PCO-EG

DOCKET NO. 090228-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 25-22.0376, 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 Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, 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.