

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of First Union)	DOCKET NO. 881505-EG
National Bank of Florida to partici-)	
pate in the Energy Conservation Loan)	ORDER NO. 20556
Test Program - Utility, Gulf Power)	
Company.)	ISSUED: 1-6-89

The following Commissioners participated in the disposition of this matter:

KATIE NICHOLS, Chairman
 THOMAS M. BEARD
 GERALD L. GUNTER
 JOHN T. HERNDON
 MICHAEL MCK. WILSON

NOTICE OF PROPOSED AGENCY ACTIONORDER APPROVING PARTICIPATION IN THE ENERGY CONSERVATION LOAN TEST 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 adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On September 3, 1986, we issued Order No. 16539 in this docket establishing the Energy Conservation Loan Test Program (Test Program). As we explained in our Order, the Test Program will operate in a defined area for a period of three years. Under the Test Program, investor-owned electric and gas utilities and municipal and cooperative utilities may adopt a plan to coordinate with financial institutions to promote and make loans to utility customers for the purpose of making improvements in the energy efficiency of their residences. Qualified financial institutions may participate in the Test Program via an approved utility plan and receive from the Commission a guarantee/subsidy for loans covered by the Test Program.

In Order No. 16780, we approved the petition of Gulf Power Company (Gulf) to participate in the Test Program. First Union National Bank of Florida (First Union) has now petitioned to participate as a qualifying financial institution in Gulf's service territory. First Union estimates that it will loan no more than \$1 million under this program through the fiscal year ending June 30, 1989. First Union has indicated that it will abide by all reporting and servicing requirements set forth in the Test Program.

Having reviewed the application, we find that First Union National Bank of Florida meets the requirements for participation in the Test Program as a qualifying financial institution. We will, therefore, approve its application and extend to it the Test Program's guarantee/subsidy up to the maximum loan amount of \$1 million through June 30, 1989.

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Now, therefore, in consideration of the above, it is

ORDERED by the Florida Public Service Commission that the application of First Union National Bank of Florida to participate in the Energy Conservation Test Program is hereby approved as set forth in the body of this Order. It is further

ORDERED that this Order will become effective on January 26, 1989, unless a petition is received as set forth below.

By ORDER of the Florida Public Service Commission, this 6th day of JANUARY, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

MRC

by: Kay Flynn
Chief, Bureau of Records

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 at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on January 26, 1989. In the absence of such a petition, this order shall become effective January 27, 1989, as provided by Rule 25-22.029(6), Florida Administrative Code, and as reflected in a subsequent order.

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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 January 27, 1989, any party adversely 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 sewer 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.