

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Conservation Cost Recovery)	DOCKET NO. 890002-EG
Clause.)	ORDER NO. 22310
)	ISSUED: 12-13-89
)	

The following Commissioners participated in the disposition of this matter:

MICHAEL MCK. WILSON, Chairman
 THOMAS M. BEARD
 JOHN T. HERNDON

ORDER DENYING GULF'S MOTION FOR RECONSIDERATION

BY THE COMMISSION:

Order No. 21317, issued in this docket on June 2, 1989, eliminated Gulf Power Company's Super Good Cents Home ("Good Cents") program from recovery under the Energy Conservation Cost Recovery ("ECCR") factor and required that it be phased out by May 1, 1990. In addition, Order No. 21317 eliminated Gulf Power Company's Energy Education and Presentation /Seminars programs ("Energy Education") from ECCR. On June 19, 1989, Gulf Power Company (Gulf) filed its motion for reconsideration.

In its motion for reconsideration Gulf has reargued factual issues which were fully considered during our initial determination of this matter and which were resolved adversely to Gulf's position. Gulf's motion fails to state a proper ground for reconsideration in that it does not assert a mistake or misapprehension that if viewed correctly would have led us to reach a different result. Gulf has shown no error in our elimination of its Good Cents and energy education programs from recovery through the ECCR clause.

In consideration of the foregoing, it is

ORDERED by the Florida Public Service Commission that the motion for reconsideration filed by Gulf Power Company in this docket is denied. It is further

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ORDERED that this docket be closed after the time has run in which to file a notice of appeal, if such action is not taken.

BY ORDER of the Florida Public Service Commission, this 13th day of DECEMBER, 1989.

STEVE TRIBBLE, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(S E A L)

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NOTICE OF 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.

Any party adversely affected by the Commission's final action in this matter may request 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 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 after the issuance 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.