

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rules) DOCKET NO. 920113-EG
25-17.055 and 25-17.057,)
F.A.C., Energy Conservation) ORDER NO. PSC-92-0311-FOF-EG
Performance Audit.)
ISSUED: 05/07/92

NOTICE OF ADOPTION OF RULE AMENDMENTS

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has adopted the amendments to Rules 25-17.055, and 25-17.057, F.A.C., relating to energy conservation performance audit and results, without change.

The rule amendments were filed with the Department of State on April 30, 1992, and will be effective on May 20, 1992. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By Direction of the Florida Public Service Commission, this
7th day of MAY, 1992.

STEVE TRIBBLE, Director
Division of Records & Reporting

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BY: Kay Helman
Chief, Bureau of Records

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CERTIFICATION OF
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES
FILED WITH THE
DEPARTMENT OF STATE

SECRETARY OF STATE

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I do hereby certify:

(1) The time limitations prescribed by paragraph 120.54(11)(a), F.S., have been complied with; and

(2) There is no administrative determination under section 120.54(4), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(11)(b), F.S. They are filed not less than 28 days after the notice required by subsection 120.54(1), F.S., and;

(a) And are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed within 21 days after the adjournment of the final public hearing on the rule; or

(d) Are filed within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(e) Are filed within 21 days after the date the transcript was received by this agency.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the

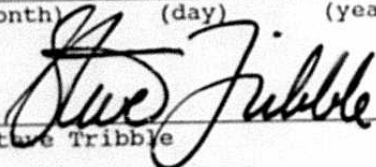
undersigned agency by and upon their filing with the Department of State.

<u>Rule No.</u>	<u>Rulemaking Authority</u>	<u>Specific Law Being Implemented, Interpreted or Made Specific</u>
25-17.055	366.05(1), 366.82(1), (5)	366.82
25-17.057	366.05(1), 366.82	366.82

Under the provision of paragraph 120.54(13)(a), F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective:

(month) (day) (year)



Steve Tribble

Director, Division of Records & Reporting
Title

Number of Pages Certified

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1 25-17.055 Performance of the Energy Conservation Audit.

2 (1) Pre-performance criteria.

3 (a) Each utility shall adopt procedures to assure that
4 estimates of energy cost savings and costs for conservation
5 measures are based on:

6 1. Typical and recent local prices for materials and
7 installation; and

8 2. Typical local climate data for the audited residence.

9 (b) At least semi-annually, each utility shall update the
10 data collected pursuant to paragraph (1)(a).

11 (c) When computing payback time, the utility shall
12 calculate and use current Commission data regarding the
13 anticipated percentage change in energy costs, unless the utility
14 can demonstrate to the satisfaction of the Commission that the
15 Commission's anticipated percentage change in energy costs is not
16 applicable to that utility and that another figure should be
17 used.

18 (d) The utility shall use only DOE approved methodologies
19 and assumptions when performing the Energy Conservation Audit.
20 The utility shall submit certification of compliance with this
21 paragraph to the Commission.

22 (2) The Energy Conservation Audit:

23 (a) Upon arrival at the residence of the eligible customer,
24 the auditor shall furnish proper identification and confirm that
25 the customer understands the scope and cost of the Energy

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1 Conservation Audit. The auditor shall collect the fee or arrange
2 for billing pursuant to Rule 25-17.059(1)(a).

3 1. The auditor shall discontinue or decline to perform the
4 audit if the customer, at any time, objects to its performance.

5 2. The auditor may discontinue or decline to perform the
6 audit if the auditor determines that continuation of the audit
7 presents some danger to him or her.

8 3. In either event described in sub-paragraph 1 or 2 the
9 auditor shall record the reason for the incomplete audit.

10 (b) The auditor shall determine which of the conservation
11 practices are applicable, explain those practices to the
12 customer, emphasize their importance, and recommend that the
13 customer apply them before or in addition to any conservation
14 measure.

15 (c) With regard to determining appropriate conservation
16 measures, the auditor shall gather and record the following
17 information where applicable:

18 1. Exterior opaque wall area and present level of
19 insulation.

20 2. Exterior window and door areas, type and condition.

21 3. Ceiling area and present level of insulation.

22 4. Floor area and present level of insulation.

23 5. Water heater size, age and type.

24 6. Air conditioning system type, fuel, approximate age,
25 size and duct condition.

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1 7. Heating system type, fuel, approximate age, and size.

2 8. Other items as appropriate.

3 (d) Using the data gathered pursuant to paragraph (c), and
4 determining applicability of each conservation measure, the
5 auditor shall make calculations designed to arrive at an
6 estimation of the potential energy and overall cost savings to
7 the customer who installs the appropriate conservation measures.

8 1. The auditor shall make calculations with reference to
9 the appropriate building materials, heat transfer data, appliance
10 efficiency data date, energy and/or demand costs, and retrofit
11 costs.

12 2. The auditor shall evaluate for the conservation measure
13 listed in Rule 25-17.051(10)(p) and (q) only in regions with
14 1,000 or more heating degree days per year. The auditor shall
15 evaluate for the conservation measure listed in Rule
16 25-17.051(10)(o) in areas with fewer than 1,000 heating degree
17 days per year only upon customer request.

18 3. The auditor may not evaluate for conservation measures
19 listed in Rule 25-17.051(10)(a) or (k) unless the evaluation is
20 done in compliance with Rule 25-17.057(3)(a) and (b).

21 (e) Based upon the information from paragraphs (c) and (d)
22 above, the auditor shall calculate the residence's rating under
23 the five-star rating system and provide the rating to the
24 customer, in writing, along with the more detailed audit results.

25 Specific Authority: 366.05(1), 366.82(1), (5), F.S.

1 Law Implemented: 366.82, F.S.
2 History: New 5/4/80, Amended 12/16/80, Transferred from
3 25-6.115, 25-6.115(3)(a), transferred to 25-17.51(9),
4 25-6.115(3)(c), transferred to 25-17.51(10), Amended 10/28/82,
5 2/22/84, _____, formerly 25-17.55.
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1 25-17.057 Energy Conservation Audit Results.

2 (1) Unless an alternative method is authorized by
3 Commission order upon good cause shown, the auditor shall make
4 recommendations and provide the audit results and any
5 recommendations to the customer, on site, in writing, and in
6 person, upon completion of the audit, unless the customer is not
7 present at the time of the audit or otherwise declines in-person
8 presentations.

9 (2) The auditor shall provide the customer with:

10 (a) The estimated energy and overall cost savings that
11 would likely result from each applicable energy conservation
12 measure, in accordance with or except as provided in subsection
13 (3) of this rule;

14 (b) An estimation of the total installation cost for each
15 conservation measure, as provided in subsection (4) of this rule;

16 (c) The annual ordinary maintenance cost, if any, for each
17 conservation measure;

18 (d) The first year's energy savings in dollars or a range
19 of dollars for each conservation measure;

20 (e) The expected time of payback as provided in subsection
21 (5) of this rule;

22 (f) A clear indication via sample calculations or
23 disclosure, that the total energy cost savings from the
24 installation of more than one energy conservation measure could
25 be less than the sum of energy cost savings of each conservation

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1 measure installed individually;

2 (g) An explanation of the availability, if any, of
3 innovative energy conservation rate structures or load management
4 techniques offered by the utility;

5 (h) A sample calculation of the effect of federal and/or
6 state tax benefits on the cost to the customer of installing at
7 least one applicable energy conservation measure and, where
8 possible, one or more renewable resource measure.

9 (3)(a) Except as provided in this paragraph, the auditor
10 may not provide cost and savings estimations for furnace
11 efficiency modifications described in Rule 25-17.051(10)(a) and
12 (k), unless the furnace uses primarily a source of energy
13 supplied by the utility performing the audit. Absent such use,
14 the auditor shall provide cost and savings estimations for
15 furnace efficiency modifications if the customer requests them
16 and if the customer agrees to sign the following statement: "If
17 your home is heated by a source of fuel other than (state the
18 type of fuel supplied by the utility), only the supplier of your
19 fuel may audit your furnace unless you specifically request us to
20 do so. Federal law requires that such a request be in writing.
21 If you want us to audit your furnace, although we do not supply
22 the fuel it uses, please sign below."

23 (b) With regard to the conservation measure listed in Rule
24 25-17.051(10)(a) and (k), the auditor shall base any cost and
25 savings estimations on an evaluation of the seasonal efficiency

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1 of the boiler or furnace. Seasonal efficiency shall be based on
2 estimated peak (tuned up) steady state efficiency corrected for
3 cycling losses. Steady state efficiency shall be derived from
4 manufacturer's design data and observation of the furnace
5 components or, alternatively, by a flue gas analysis of measured
6 flue gas temperature and carbon dioxide content, or by procedures
7 set forth by DOE in "Final Energy Conservation Test Procedures,"
8 43 Federal Register, 20128, 20147.

9 (4)(a) Except as provided in paragraph (b), the auditor
10 shall provide an estimation of the total installation cost for
11 each conservation measure which reflects the customer's
12 installing it himself or herself and which reflects the cost to
13 the customer of having the measure installed by a contractor.

14 (b) For ceiling insulation, the auditor shall calculate the
15 payback period for at least one increased level of insulation
16 either to or above R.19 or, for residences with resistance heat
17 systems in regions having 1,000 or more heating degree days per
18 year, to or above R-22. Such calculations shall be in increments
19 of R-11. The auditor may calculate payback periods for other
20 levels of insulation if the customer so requests or if the
21 utility believes higher levels would be cost effective. Auditors
22 shall express recommendations in terms of R values and not in
23 inches.

24 (5) The auditor shall provide to the customer an estimation
25 of the expected time for payback of the customer's cost of

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1 purchasing and installing any conservation measure.

2 (a) Except as provided by Commission order, all payback
3 computations shall be based on the anticipated a percentage
4 change in energy bills as calculated ~~formulated~~ by the utility in
5 compliance with Commission and noted in Rule 25-17.055(1)(c).
6 ~~The utility shall compute Commission will provide the utilities~~
7 ~~with~~ the applicable rate for each succeeding year by January
8 31st of that year.

9 Specific Authority: 366.05(1), 366.82, F.S.

10 Law Implemented: 366.82, F.S.

11 History: New 5/4/80, Amended 12/16/80, Transferred from
12 25-6.117, Amended 10/28/82, _____, formerly 25-17.57.

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Rule 25-17.055
25-17.057
Docket No. 920113-EG

SUMMARY OF RULES

Rule 25-17.055 contains requirements for utility performance of energy conservation audits. The proposed amendment would require utilities to calculate their specific anticipated percentage change in energy costs and use the data in computing payback time for conservation measures, rather than using average data supplied by the Commission. Rule 25-17.057 instructs utilities on the presentation of energy conservation audit results. The proposed amendment would require presentation of payback computations based on the anticipated percentage change in energy costs for that utility, and would require utilities to calculate the applicable rate by January 31st of each year.

SUMMARY OF HEARINGS ON THE RULES

No hearing was requested.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULES

Rule 25-17.055, Florida Administrative Code, Performance of the Energy Conservation Audit, instructs electric and gas utilities subject to the Florida Energy Efficiency and Conservation Act, Sections 366.80 - 366.85, Florida Statutes, how to perform energy conservation audits. Rule 25-17.057, Energy Conservation Audit Results, specifies the information which must be provided to a customer following an energy audit. The rules currently require utilities to compute payback time for conservation measures based

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on Commission data regarding anticipated percentage change in energy costs. The amended rules will require each utility to compute payback time based on its own anticipated percentage change in energy costs, which will allow ratepayers to evaluate cost-effectiveness of conservation measures on a more realistic basis.