

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for elimination) DOCKET NO. 940681-EQ
of annual report requirements) ORDER NO. PSC-94-1170-FOF-EQ
for standby rates by FLORIDA) ISSUED: September 26, 1994
POWER & LIGHT COMPANY.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION

ORDER GRANTING PETITION

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 substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

CASE BACKGROUND

In 1986, in Docket No. 850673-EU, by Order No. 17159, this Commission directed Florida investor-owned electric utilities to file tariffs for standby electric service to self-generating customers (SGC). That Order requires utilities to submit annual reports to the Commission on customer billing and load data and operating data on the standby customers' facilities. Discussed in Docket No. 850673-EU, among other things, was the proper pricing of the different types of service which standby customers could take. The Commission recognized that more information could be of value and indicated that:

We find that the utilities and the SGCs should undertake such daily collection and reporting activities as are necessary to prevent analysis of load and usage characteristics of backup, maintenance, and supplemental electric service. This data and the analysis are necessary to assure, on a continuing basis, that the rates that we approve...are fair and cost-based (Order 17159, page 22).

DOCUMENT NUMBER-DATE

09847 SEP 26 1994

FPSC-RECORDS/REPORTING

PETITION

On June 27, 1994, Florida Power & Light Company (FPL) filed a petition requesting the elimination of the requirements for the annual reports on customer billing and load data and the elimination of the requirement to collect and submit in its entirety the Customer Generation and Availability Data (customer data).

According to FPL, Order No. 17159 anticipated using billing and load data when changing rate structures, therefore these data should be more appropriately considered in a rate case. It is highly unlikely that the data will be used between rate proceedings. FPL states in its petition that it will continue to collect the billing and load data and supply the information upon request. FPL estimates that the elimination of the annual reporting requirement would save the cost of preparing the report which involves approximately 24 hours annually to compile.

FPL also indicates in its petition, the main reason for eliminating the collection of customer data is that providing such data appears to be a significant burden on the SGCs, and FPL employees without any clear benefit to either the utility, its ratepayers or the Commission.

FPL estimates that its employees spend 320 hours per year to obtain and prepare the customer data, and an additional 160 hours per year to prepare the data for the annual filing. The process is so costly because the SGCs can not be required to file the data. FPL staff must contact the SGCs on a regular basis and ask them to provide the data.

We find that since the information was originally requested in Docket No. 850673-EU to assist in the annual planning dockets and it has not been used for that purpose, that such collection and reporting should be eliminated.

In reviewing Order No. 17159, we find that it is applicable to the four major investor-owned utilities of Florida Power & Light, Tampa Electric Company (TECO), Florida Power Corporation (FPC), and Gulf Power Company (Gulf) and that the purposes advanced by FPL for the elimination of such reporting and collection requirements should be equally applicable to all of the other utilities. We therefore are by this order, relieving FPC, TECO and Gulf from the requirements identified in FPL's petition.

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In consideration of the foregoing, it is

ORDERED by the Florida Public Service Commission that the petition filed by Florida Power & Light Company is hereby approved as described in the body of this Order and that the same shall be applicable to Florida Power Corporation, Tampa Electric Company and Gulf Power Company. It is further

ORDERED that this Order shall become final and this docket shall be closed unless an appropriate petition for formal proceedings is received by the Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date indicated in the Notice of Further Proceedings or Judicial Review.

By ORDER of the Florida Public Service Commission, this 26th day of September, 1994.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Ferguson
Chief, Bureau of Records

(S E A L)

MRC

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

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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, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on October 15, 1994.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

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 the date described above, any party substantially 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 wastewater 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.