

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for Approval of) DOCKET NO. 941232-EG
Modifications to Residential) ORDER NO. PSC-94-1618-FOF-EG
Load Management Rate Schedule By) ISSUED: December 28, 1994
Florida Power Corporation)
_____)

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

ORDER SUSPENDING TARIFF

On November 22, 1994, Florida Power Corporation (FPC) petitioned the Commission for approval of modifications to its Residential Load Management tariff and the associated RLM-1 rate schedule. The changes requested by FPC pertain to the level of incentive, or credit, given to customers who participate in the residential load management program. In particular, FPC has found that the generating unit avoided by load management has changed from an \$800/kW coal unit to a \$250/kW combustion turbine unit. Given that the avoided costs have decreased, the cost-effectiveness of the load management program is now in question.

Some time will be required to fully investigate this matter and review these proposed changes to FPC's tariff. As such, it is appropriate for the Commission to suspend FPC's existing rate schedule RLM-1 to allow for time to conduct discovery on FPC's proposed modifications to its Residential Load Management program.

Based on the foregoing, it is therefore

ORDERED that Florida Power Corporation's Residential Load Management tariff, rate schedule RLM-1, is, hereby, suspended. It is further

ORDERED that if a protest is filed in accordance with the requirement set forth below, the tariff shall remain in effect with any increase in revenues held subject to refund pending resolution of the protest. It is further

DOCUMENT NUMBER-DATE

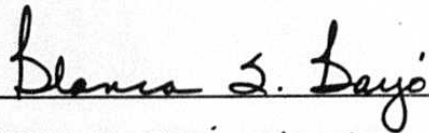
12986 DEC 28 1994

FPC-RECORDS/REPORTING

ORDER NO. PSC-94-1618-FOF-EG
DOCKET NO. 941232-EI
PAGE 2

ORDERED that this docket shall remain open until the final review of Florida Power Corporation's proposed modifications to its Residential Load Management program has been completed.

By ORDER of the Florida Public Service Commission, this 28th day of December, 1994.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

BC

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 Commission's decision on this tariff is interim in nature and will become final, unless a person whose substantial interests are affected by the action proposed files a petition for a formal proceeding, as provided by Rule 25-22.036(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a)(d) and (e), 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 January 18, 1995.

ORDER NO. PSC-94-1618-FOF-EG
DOCKET NO. 941232-EI
PAGE 3

In the absence of such a petition, this order shall become final on the day subsequent to the above date.

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 on the date described above, 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 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 date this Order becomes final, 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.