

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of microMETER Corporation)
for Commission to initiate Rule changes related)
to 25-6.049 Measuring Customer Service)

PSC Docket No. 951485-ELI

PETITION TO INITIATE RULE-MAKING

COMES NOW, microMETER Corporation, a Florida Corporation (P94000064593, Federal ID, 59-3266788), hereinafter "Petitioner" by and through its undersigned Registered Agent and Stockholder and pursuant to the provisions of Section 120.54(5), Florida Statutes, and Section 25-22.012, Florida Administrative Code and petitions the Florida Public Service Commission, (hereinafter "PSC"), to initiate Rule-making proceedings to amend Section 25-6.049, Florida Administrative Code, and in support thereof states:

I

The name, address, and phone number of the Petitioner is:

microMETER Corporation
9700 Koger Boulevard, Suite 100
St Petersburg, FL., 33702
813-408-0800 Fax: 813-867-21691
Registered Agent's phone: 813-867-9647

1

DOCUMENT NUMBER DATE

11623 NOV 20 08

FPSC-RECORDS/REPORTING

II

Petitioner's Interest

In September 1994 Petitioner, a private, for profit, investor owned corporation was formed to manufacture, here in Pinellas County, a computerized electronic telemetering device, "microMETER", designed to monitor groups of 16 load carrying electric service lines. The system uses small proprietary current transformers ("doughnuts"), and the kilowatt hours consumed in each line are continuously accumulated in a small proprietary microprocessor. Upon demand by a computer, either hard wired into a building's business office, or remotely via modem, the device reads out: 1. The instantaneous amperage running. 2. The accumulated kwh's per circuit. 3. Multiplies the kwhs times the inserted utility cents per kwh and gives the \$dollars per circuit. 4. Divides each circuit by the total to provide per cent contribution to the total. 5. Permits reconciliation with the utility's monthly bill so that each circuit is fairly allocated its share of the total bill. 6. Prints out the allocated bill to each circuit owner. 7. Has provision to profile demand for 24 hour periods for consumer edification and consequent action.

Petitioner was referred to Martin-Marietta, USF, and Enterprise Corporation of Tampa Bay, and, upon invitation, won in competition, a DOE development contract, monitored by Enterprise using Martin-Marietta technical support. This was followed by a second continuing contract. The DOE objectives included a desire to see energy reduction emanating from an inexpensive device which would be attractive to install in master metered (un-submetered) buildings where currently tenants had no incentive to conserve since power is part of rent.

Enterprise Corporation's objectives were: 1. To encourage development and success of small high technology companies in the Tampa Bay area. 2. Provide employment opportunities for skilled employees of Martin-Marietta who faced job loss through DOE downsizing. 3. Hopefully these companies would rent space eventually in the Martin-Marietta buildings and make that property economically viable. Petitioner's objectives included all of the above plus producing taxable profits to benefit the government. Petitioner has successfully met some of the objectives.

We have gone into manufacture, met a very modest payroll, made modest sales, set up a distributorship, and are proud that every customer to date is pleased and is a good reference.

We believe the remainder of the objectives are attainable if the PSC will allow the petitioned amendments which open up a sales area which to date has been exclusively the domain of the utilities....namely allowing all responsible, commercial companies to compete for sub-metering in in properties constructed since January 1, 1981. We believe we have standing.

III

Reasons for Proposed Amendments

BENEFITS TO CONSUMERS: Presently consumers in utility-provided sub-metering situations have very limited choices. They pay a retail price for power (TOU being a second choice) and they must pay a monthly service fee which includes meter manual meter reading, line maintenance for each tenant, billing costs, postage, individual deposits etc. If sub-metering is opened up to competition, then consumers can choose to either remain on their present plan, or,

common interest groups such as condominiums, apartment buildings, commercial buildings, marinas, mobile home parks, time shares etc can negotiate with utilities for possibly better rates.....(or a utility-competing source of power)based on delivering a single master meter with a commercial rate and doing their own sub-metering and billing.

It is also reasonable that if computerized readout and automatic billing can be accomplished at the master meter's office and if bills can be distributed on site to pigeon holes, and line maintenance charges eliminated, then normal standard utility billing costs to the consumer can be reduced, while still generating a profit to the building owner for providing these services. Of course the building owner will never make a profit on the electricity as he will allocate at his commercial rate. Our estimated return on our device ranges from 50% upwards per year, surely an attractive investment.

BENEFITS TO THE UTILITIES: Change, modernization, intense competition are forcing the utilities to re-program their future. It seems the apparent direction is towards becoming a lean, competitive company best able to stave off competitive offerings by becoming the lowest cost provider of commercial power in their area. How? One way is to shed peripheral functions of retail billing, maintenance, manual meter reading etc. A brutal way is that being done in California. A sharp immediate decision to out-source retail billing and administration (Pacific Gas and Electric) causes major local impact....unemployment....costly retirement incentives ...unemployment compensation rate increases, job searches, family turmoil, re-location problems, real estate declines. One way to avoid this in Florida is to allow competition flowing from the petitioned amendments. There will not be a sudden massive problem as in California, but a slow, gradual evolution of companies such as ours slowly infiltrating a utility province. A gradual reduction of utility employment will feed ex-utility employees into the job market slowly and

many of whom will have exciting new opportunities with the evolving and growing companies taking advantage of the petitioned amendments. In fact, it may well be to the advantage of utilities to encourage and foster this to maintain their wholesome image in their communities.....perhaps feed leads to the evolving companies to ensure their success.....perhaps buy into some of the more successful companies to share in their profits. It could be the best of both worlds to the utilities.

BENEFITS TO THE DOE, ENTERPRISE, US GOVERNMENT: If the petition is granted, and if we (and our competitors) succeed and grow, the DOE will be happy to see energy reduction in presently non-submetered buildings. A study shows that users reduce their electricity by 10-20% when they have to pay directly for what they use. Maybe ecology benefits too. Enterprise may well see us employ ex-Martin-Marietta workers and use some of their building space. And, if we and others start turning a profit we will be pleased to pay our taxes, which should appeal to both Houses of Congress.

BENEFITS TO microMETER CORPORATION: If we prosper we will convert an unintended non-profit corporation into a profit corporation, and maybe the St Petersburg Chamber of Commerce will vote us "SMALL BUSINESS COMPANY OF THE YEAR" !

WHEREFORE, we, microMETER Corporation, request that PSC initiate rule-making in order to amend Rule 25-6.049 to incorporate the changes in the attached, modified copy of 25-6.049.

Respectfully and cordially,

microMETER Corporation



John C. Clement

Registered Agent and Stockholder

CERTIFICATE OF SERVICE

I hereby certify that fifteen (15) copies of the foregoing instrument have been furnished by registered mail to the Public Service Commission, Att: Ms Blanca S. Bayo, Director, Division of Records and Reporting and mailed on the 17 day of November, 1995.

By: 

John C. Clement

1 25-6.0-09 Measuring Customer Service.

2 (1) All energy sold to customers, except that sold under flat rate schedule, shall be
3 measured by commercially acceptable measuring devices ~~owned and maintained by the utility,~~
4 reconcilable to a utility meter for allocation purposes except where it is impractical to meter loads,
5 such as street lighting, temporary or special installations, in which case the consumption may be
6 calculated, or billed on demand or connected load rate or as provided in the utility's filed tariff.

7 (2) When there is more than one meter at a location the metering equipment shall be so
8 tagged or plainly marked as to indicate the circuit metered. Where similar types of meters record
9 different quantities, (kilowatt hours and relative power, for example), metering equipment shall be
10 tagged or plainly marked to indicate what the meters are recording.

11 (3) Meters which are not direct reading shall have the multiplier plainly marked on the
12 meter, or, if a computerized readout at a central location, then plainly delineated in the software.
13 All charts taken from recording meters shall be marked with the date of the record, the meter
14 number, customer, and chart multiplier. The register ratio shall be marked on all meter registers ,
15 if direct reading. The watt-hour constant for the meter itself shall be placed on all watt-hour
16 meters , if direct reading.

17 (4) Metering equipment shall not be set "fast" or "slow" to compensate for supply
18 transformer or line losses.

19 (5)(a) ~~Individual electric metering by the utility~~ commercially available measuring devices
20 shall be required for each separate occupancy unit of new commercial establishments, residential
21 buildings, condominiums, cooperatives, marinas, and trailer, mobile home and recreational
22 vehicle parks for which construction is commenced after January 1, 1981.

1 This requirement shall apply whether or not the facility is engaged in a time-sharing plan.

2 Individual electric meters shall not, however, be required:

3 1. In those portions of a commercial establishment where the floor space
4 dimensions or physical configuration of the units are subject to alteration,
5 as evidenced by non-structural element partition walls, unless the utility
6 determines that adequate provisions can be made to modify the metering to
7 accurately reflect such alterations;

8 2. For electricity used in central heating, ventilating and air conditioning
9 systems, or electric back up service to storage heating and cooling systems;

10 3. For electricity used in specialized-use housing accommodations such as
11 hospitals, nursing homes, living facilities located on the same premises as,
12 and operated in conjunction with, a nursing home or other health care
13 facility providing at least the same level and types of services as a nursing
14 home, convalescent homes, facilities certificated under Chapter 651,
15 Florida Statutes, college dormitories, convents, sorority houses, fraternity
16 houses, motels, hotels, and similar facilities.

17 4. For separate, specially-designated areas for overnight occupancy at trailer,
18 mobile home and recreational vehicle parks where permanent residency is
19 not established and for marinas where living aboard is prohibited by
20 ordinance, deed restriction, or other permanent means.

21 (b) For purposes of this rule:

22 1. "Occupancy unit" means that portion of any commercial establishment,
23 single and multi-unit residential building, or trailer, mobile home or

1 recreational vehicle park, or marina which is set apart from the rest of such
2 facility by clearly determinable boundaries as described in the rental, lease,
3 or ownership agreement for such unit.

4 2. "Time-sharing plan" means any arrangement, plan, scheme, or similar
5 device, whether by membership, agreement, tenancy in common, sale,
6 lease, deed, rental agreement, license, or right-to-use agreement or by any
7 other means, whereby a purchaser, in exchange for a consideration, receives
8 a right to use accommodations or facilities, or both, for a specific period of
9 time less than a full year during any given year, but not necessarily for
10 consecutive years, and which extends for a period of more than three years.

11 3. The construction of a new commercial establishment, residential building,
12 marina, or trailer, mobile home or recreational vehicle park shall be deemed
13 to commence on the date when the building structure permit is issued.

14 4. The individual metering requirement is waived for any time sharing facility
15 for which construction was commenced before December 23, 1982, in
16 which separate occupancy units were not metered in accordance with
17 subsection (5)(a).

18 5. "Overnight Occupancy" means use of an occupancy unit for a short term
19 such as per day or per week where permanent residency is not established.

20 6. The term "cost" as used herein means any those charges specifically
21 authorized by the electric utility's tariff, including but not limited to the
22 customer, energy, demand, fuel, and conservation charges made by the
23 electric utility plus applicable taxes and fees to the customer of record

1 responsible for the master meter payments. The term does not include late
2 payment charges, returned check charges, the cost of the distribution
3 system behind the master meter, the cost of billing, and other such costs.

4 (a) Where individual metering is not required under Subsection (5)(a)
5 and master metering is used in lieu thereof, reasonable
6 apportionment methods, including sub-metering, may be used by
7 the customer of record or the owner of such facility solely for the
8 purpose of allocating the cost of the electricity billed by the utility.

9 (b) Any fees or charges collected by a customer of record for electricity
10 billed to the customer's account by the utility, whether based on the
11 use of sub-metering or any other allocation method, shall be
12 determined in a manner which reimburses the customer of record
13 for no more than the customer's actual cost of electricity.

14 7. Each utility shall develop a standard policy governing the provisions of
15 sub-metering as provided for herein. Such policy shall be filed by each
16 utility as part of its tariffs. The policy shall have uniform application and
17 shall be nondiscriminatory.

18 Specific Authority: 366.05(f), F.S.

19 Law Implemented: 366.05(3), F.S.

20 History: Amended 7/29/69, 8/26/80, 12/23/82, 12/28/83, formerly 25-6.49, Amended 7/14/87,

21 10/5/88. mm/dd/yy