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November 17, 1998

Blanca Bayó, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Re: Docket No. 981101-EI, Proposed Amendment of Rule 25-6.093
F.A.C. Information to Customers

Dear Ms. Bayó:

LEAF offers the attached comments on the proposed rule. We do not seek a hearing. LEAF generally supports the rule, although we wish it were even stronger.

Although the attached comments were sent to PSC staff during rule development, we re-submit them now to ensure they become part of the record relating to the rule. Thank you for this opportunity to submit comments.

Sincerely,

ACK Gail Kamaras

AFA Gail Kamaras, Director

APP UETA Energy Advocacy Program

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OTA Public Interest Law Firm

DOCUMENT NUMBER - DATE



October 9, 1998

Ms. Roberta Bass
Division of Electric & Gas
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Proposed Amendments to Rule 25-6.093 or 25-6.100 (Consumer Disclosure)

Dear Roberta:

I understand that E&G staff will soon complete its review of the Statement of Estimated Regulatory Costs and propose a rule for the Commission's consideration. LEAF offers the following comments for staff's consideration.

1. Uniformity of reporting is of critical importance, according to the Regulatory Assistance Project ("RAP") which has done extensive research on this topic. LEAF suggests the rule specify that utilities use the format suggested by RAP and adopted in Massachusetts.

2. Reporting should be as complete as possible. Contrary to utility claims at the workshop, it is not difficult to specify fuel type for all purchased power (as evidenced by the attached excerpts from 1998 TYPs for FPC and FPL). Non-Utility-Generators have a constant fuel source. If there are long-term (more than 1 year) contracts to purchase power, the fuel type should be included in the reported information.

3. Given the wide discrepancies of the cost estimates utilities provided (as stated in the Statement of Estimated Regulatory costs) staff should not accept utility estimates without question. For example, TECO estimates that putting the information on the bill would increase annual costs by \$1,770,000, whereas FPL, a much larger utility, estimates putting the information on the bill would increase annual costs by \$130,724 -- and FPC suggests there are no costs beyond a one-time \$40,000 to create the proper functionality to place this information on the bill.

4. For reasons stated previously LEAF much prefers including the information on monthly bills. Our second preference would be for the information to be included on each bill insert a utility sends to its customers, rather than going to the expense of creating a separate insert. In this way, customers could receive the information more than quarterly.

6. The rule should clarify how recent the information must be -- or what lag period in reporting will be allowed.

7. Contrary to utility claims there are benefits to the rule. Both customers and utilities benefit by informing customers about utility fuel mixes. Customers have a right to know where their electricity comes from. Informed customers will help utilities sell their green pricing programs. Informing customers now also helps prepare customers for the choices associated with the eventual coming of deregulation and full competition.

8. The alternative methods described in the Statement of Estimated Regulatory Costs are not reasonable. Reporting only annually is not enough to inform customers. The annual statistical report is not readily available to customers and lacks utility specific information. Nor is it realistic to assume customers will call their utility or the Commission to request this information. Customers are so uninformed now that they do not know enough to ask this question, even if they had the time to do so.

LEAF appreciates your consideration of these comments. If you have questions, please let us know.

Sincerely,



Debra Swim
Senior Attorney
Energy Advocacy Project

cc: Chris Moore

TABLE 3.1
FLORIDA POWER CORPORATION
QUALIFYING FACILITY GENERATION CONTRACTS
AS OF DECEMBER 31, 1997

FACILITY NAME	LOCATION (COUNTY)	TYPE	FUEL TYPE	CONTRACT START DATE (MO/YR)	FIRM CAPACITY - MW
BAY COUNTY RES. RECOV.	BAY	SPP	MSW	04/1988	11
CARGILL	POLK	COG	WH	10/1992	15
CFR-BIOGEN	POLK	COG	NG	06/1995	74
DADE COUNTY RES. RECOV.	DADE	SPP	MSW	11/1991	43
EL DORADO	POLK	COG	NG	07/1994	114
LAKE COGEN	LAKE	COG	NG	07/1993	110
LAKE COUNTY RES. RECOV.	LAKE	SPP	MSW	01/1995	13
LFC JEFFERSON	POLK	COG	NG	01/1995	8
LFC MADISON	POLK	COG	NG	01/1995	8
MULBERRY	POLK	COG	NG	07/1994	72
ORLANDO COGEN	ORANGE	COG	NG	10/1993	79
* PANDA KATHLEEN	POLK	COG	NG	11/2000	75
PASCO COGEN	PASCO	COG	NG	07/1993	109
PASCO COUNTY RES. RECOV.	PASCO	SPP	MSW	01/1995	23
PINELLAS COUNTY RES. RECOV. 1	PINELLAS	SPP	MSW	01/1995	40
PINELLAS COUNTY RES. RECOV. 2	PINELLAS	SPP	MSW	01/1995	15
PINELLAS COUNTY RES. RECOV. 3	PINELLAS	SPP	MSW	01/2008	40
RIDGE GENERATING STATION	POLK	SPP	BIO	05/1994	40
ROYSTER	POLK	COG	NG	07/1994	31
TIMBER ENERGY 1	LIBERTY	SPP	BIO	04/1992	13
US AJRICHEN	POLK	COG	WH	01/1997	6

* DISPUTES EXIST WITH PANDA KATHLEEN WHICH MAKE THE TIMING OF THIS PROJECT UNCERTAIN

**Cogeneration/Small Power Production Facilities
Operating Under Firm Contracts in 1997**

Project	County	Fuel	MW Capacity	In-Service Date	End Date
Bio-Energy	Broward	Landfill Gas	10.0	8/1/89	12/31/04
Broward South	Broward	Solid Waste	50.6	6/1/91	07/31/09
			1.4	1/1/93	12/30/26
			1.5	1/1/95	12/30/26
			0.6	1/1/97	12/30/26
Broward North	Broward	Solid Waste	45.0	4/1/92	12/30/26
			7.0	1/1/93	12/30/26
			1.5	1/1/95	12/30/26
			2.5	1/1/97	12/30/26
Royster Mulberry	Polk	Waste Heat	8.0	4/1/92	03/31/02
			1.0	12/1/95	03/31/02
Cedar Bay Generating Co.	Duval	Coal (CFB)	250.0	1/25/94	1/31/75
Indiantown Cogen., LP	Martin	Coal (PC)	330.0	12/22/95	12/31/25
Palm Beach SWA	Palm Beach	Solid Waste	42.0	4/1/92	3/31/10
Florida Crushed Stone	Hernando	Coal (PC)	110.0	4/1/92	10/31/05
			11.0		10/31/05
			12.0		10/31/05
Osceola ⁽¹⁾	Palm Beach	Bagasse/Wood	55.9	⁽²⁾	⁽³⁾
Okeelanta ⁽²⁾	Palm Beach	Bagasse/Wood	70	⁽²⁾	⁽³⁾

Notes:

- (1) Off-Line since 9/14/97. Delivered 251,066 MWH to FPL in 1997.
- (2) Off-Line since 9/15/97. Delivered 314,326 MWH to FPL in 1997.
- (3) FPL has filed suit against the Okeelanta and Osceola Partnerships in Palm Beach County Circuit Court. The lawsuit seeks a declaratory judgment that the Partnerships failed to accomplish commercial operations by January 1, 1997, as required by the power purchase contracts with the Partnerships, and, as a result, FPL is relieved of all further obligations, including capacity payments, under the contracts. FPL has proposed to pay into a court-authorized escrow account the disputed capacity payments pending a final determination by the court. In addition, the amount of capacity, which the Osceola Partnership has attempted to declare remains subject to dispute.

Table I.B.1