

DOCKET NO. 981103-EG

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

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), 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(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

(a) 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 more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC 1
- WAW _____
- OTH _____

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CLASSIFICATION

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

Under the provision of subparagraph 120.54(3)(e)6., 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: May 4, 1999
(month) (day) (year)



BLANCA S. BAYÓ, Director
Division of Records & Reporting

8

Number of Pages Certified

(S E A L)

RCB

1 25-17.015 Energy Conservation Cost Recovery.

2 (1) The Commission shall conduct annual energy conservation
3 cost recovery (ECCR) proceedings during November ~~the first~~
4 ~~quarter~~ of each calendar year. Each utility over which the
5 Commission has ratemaking authority may seek to recover its costs
6 for energy conservation programs. Each utility seeking cost
7 recovery shall file the following at the times directed by the
8 Commission:

9 (a) An annual final true-up filing showing the actual
10 common costs, individual program costs and revenues, and actual
11 total ECCR revenues for the most recent 12-month historical
12 period from January 1 ~~April 1~~ through December 31 ~~March 31~~ that
13 ends prior to the annual ECCR proceedings. As part of this
14 filing, the utility shall include a summary comparison of the
15 actual total costs and revenues reported to the estimated total
16 costs and revenues previously reported for the same period
17 covered by the filing in paragraph (1)(b). The filing shall also
18 include the final over- or under-recovery of total conservation
19 costs for the final true-up period.

20 (b) An annual estimated/actual true-up filing showing eight
21 months actual and four months projected common costs, individual
22 program costs, and any revenues collected. Actual costs and
23 revenues should begin January 1 ~~April 1~~ immediately following the
24 period described in paragraph (1)(a). The filing shall also
25 include the estimated/actual over- or under-recovery of

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1 | conservation costs for the estimated/actual true-up period.

2 | (c) An annual projection filing showing 12 months projected
3 | common costs and program costs for the period beginning January 1
4 | ~~April 1~~ following the annual hearing.

5 | (d) An annual petition setting forth proposed energy
6 | conservation cost recovery factors to be effective for the 12-
7 | month period beginning January 1 ~~April 1~~ following the hearing.
8 | Such proposed cost recovery factors shall take into account the
9 | data filed pursuant to paragraphs (1) (a), (1) (b), and (1) (c).

10 | (e) Within the 90 days that immediately follow the first
11 | six months of the reporting period in paragraph (1) (a), each
12 | utility shall report the actual results for that period on Form
13 | PSC/EAG/44 (11/97), entitled, Energy Conservation Cost Recovery
14 | Annual Short Form, which is incorporated by reference in this
15 | rule, and may be obtained from the Director, Division of Electric
16 | and Gas, Florida Public Service Commission.

17 | (2) Each utility shall establish separate accounts or
18 | subaccounts for each conservation program for purposes of
19 | recording the costs incurred for that program. Each utility
20 | shall also establish separate subaccounts for any revenues
21 | derived from specific customer charges associated with specific
22 | programs.

23 | (3) A complete list of all account and subaccount numbers
24 | used for conservation cost recovery shall accompany each filing
25 | in paragraph (1) (a).

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1 (4) New programs or program modifications must be approved
2 prior to a utility seeking cost recovery. Specifically, any
3 incentives or rebates associated with new or modified programs
4 may not be recovered if paid before approval. However, if a
5 utility incurs prudent implementation costs before a new program
6 or modification has been approved by the Commission, a utility
7 may seek recovery of these expenditures.

8 (5) Advertising expense recovered through energy
9 conservation cost recovery shall be directly related to an
10 approved conservation program, shall not mention a competing
11 energy source, and shall not be company image enhancing. When
12 the advertisement makes a specific claim of potential energy
13 savings or states appliance efficiency ratings or savings, all
14 data sources and calculations used to substantiate these claims
15 must be included in the filing required by paragraph (1)(a). In
16 determining whether an advertisement is "directly related to an
17 approved conservation program", the Commission shall consider,
18 but is not limited to, whether the advertisement or advertising
19 campaign:

20 (a) Identifies a specific problem;

21 (b) States how to correct the problem; and

22 (c) Provides direction concerning how to obtain help to
23 alleviate the problem.

24 Specific Authority: 350.127(2), 366.05(1), F.S.

25 Law Implemented: 366.04(2)(f), 366.06(1), 366.82(3) & (5), F.S.

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Rule 25-17.015
Docket No. 981103-EG

SUMMARY OF RULE

The time for annual proceedings is moved to November of each calendar year. The 12-month historical period for the true-up filing is changed from April 1 through March 31 to January 1 through December 31 each year.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The rule was amended to reflect Order No. PSC-98-0691-FOF-PU, which provided that factors for all components of each cost recovery clause be determined on an annual, calendar year basis at one hearing.

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