

December 29, 1999

Blanca S. Bayó, Director
Records and Reporting
Florida Public Service Commission
4075 Esplanade Way, Room 110
Tallahassee, Florida 32399-0850

ORIGINAL
By Hand Delivery

Charles A. Guyton
850.222.3423

**Re: Approval of Demand Side Management Plan
of Florida Power and Light Company
Docket No. 991788-EG**

Dear Ms. Bayó:

Enclosed for filing on behalf of Florida Power & Light Company ("FPL") in Docket No. 991788-EG are the original and fifteen (15) copies of the Petition For Approval Of Modifications To Florida Power & Light Company's Demand Side Management Plan, the Demand Side Management Plan of Florida Power & Light Company Plan Document, and the Demand Side Management Plan of Florida Power & Light Company Plan Appendix A.

Attached as Appendices A and B to FPL's petition are the new and revised rate schedules necessary to implement the modifications to FPL's DSM Plan. These rate schedules are for the General Service Load Management Program, the Commercial Industrial Demand Reduction Rider, and the Commercial Industrial Demand Reduction Rider Customer Request for Approval and the Commercial Industrial Demand Reduction Rider Agreement, and the following tariff sheets are being filed:

Thirty-~~Fourth~~ Revised Sheet No. 8.010
First Revised Sheet No. 8.109
Original Sheet No. 8.680
Original Sheet No. 8.681
Original Sheet No. 8.682
Original Sheet No. 8.683
Original Sheet No. 8.684
Original Sheet No. 8.685
Thirty-Third Revised Sheet No. 9.010
Original Sheet No. 9.494
Original Sheet No. 9.495
Original Sheet No. 9.496
Original Sheet No. 9.497

Petition 15834-99
Plan 15835-99
Plan App A 15836-99
Pet App A 15837-99
Pet App B 15838-99

NFA _____
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EAG _____
LEG _____
MAS _____
OPC _____
RFR _____
SEC _____
WAW _____
OTH _____

RECEIVED & FILED
AMW
FPSC-BUREAU OF RECORDS

all copy of 15837 + 15838 to EAG

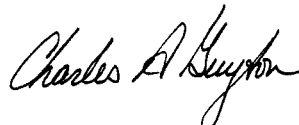
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The changes to the General Service Load Management Program rate schedule will not change the typical bill, and the Commercial Industrial Demand Reduction Rider is a new rider. The estimated number of customers and the estimated gross decrease in annual revenues for these rates are shown in the Plan Document or on their respective cost-effectiveness analyses in the Plan Appendix A.

A description of the service offered under the rate schedules and the justification and supporting documentation for the changes to the General Service Load Management Program are in the Plan Document. The tariff sheets in final form are in Appendix A to the petition. The tariff sheets in legislative format are in Appendix B to the petition.

If you or your Staff have any questions regarding this transmittal, please contact me.

Very truly yours,



Charles A. Guyton

CAG
encs.
cc: All Parties of Record

TAL_1998/33029-1

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for Approval of)
Modifications to Florida Power &)
Light Company's Demand Side)
Management Plan)**

**Docket No. 991788-EG
Filed: December 29, 1999**

**PETITION FOR APPROVAL OF MODIFICATIONS
TO FLORIDA POWER & LIGHT COMPANY'S
DEMAND SIDE MANAGEMENT PLAN**

Florida Power & Light Company ("FPL"), pursuant to Sections 366.82 and 366.06(1), Florida Statutes (1999), and Florida Administrative Code Rules 25-17.0021 and 25-6.033, hereby petitions the Florida Public Service Commission ("Commission") (1) to approve Florida Power & Light Company's Demand Side Management Plan, which is being filed with this petition, (2) to authorize FPL to recover through its Energy Conservation Cost Recovery ("ECCR") clause reasonable and prudent expenditures associated with implementation of FPL's Demand Side Management Plan, and (3) to approve the tariff sheets attached hereto as Appendices A and B, which are necessary to implement FPL's demand side management programs that involve rate schedules. In support of this petition FPL states:

Introduction

1. FPL's address is 9250 West Flagler Street, Miami, Florida 33174. Correspondence, notices, orders, motions and other documents concerning this petition should be sent to:

Matthew M. Childs, P.A.
Charles A. Guyton
Steel Hector & Davis LLP
215 S. Monroe St., #601
Tallahassee, Florida 32301
(850) 222-2300

William G. Walker
Vice President, Regulatory Affairs
Florida Power & Light Company
9250 West Flagler Street
Miami, Florida 33174
(305) 552-3643

DOCUMENT NUMBER-DATE

15834 DEC 29 89

FPSC-RECORDS/REPORTING

2. The affected agency is:

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

FPL's Substantial Interests Affected

3. FPL is an investor-owned electric utility regulated by the Commission pursuant to Chapter 366, Florida Statutes. FPL is subject to the Florida Energy Efficiency Conservation Act ("FEECA"), and its Energy Conservation Cost Recovery ("ECCR") clause is subject to the Commission's jurisdiction. Pursuant to FEECA and Commission rules implementing FEECA, FPL is required to file a demand side management ("DSM") plan for Commission approval and is entitled to seek recovery of associated expenditures. FPL currently has a Commission-approved DSM plan, but the Commission recently approved new conservation goals for FPL. Under Commission rules implementing FEECA, FPL must file a plan designed to achieve these goals. FPL has a substantial interest in whether the Commission approves FPL's DSM plan modifications, authorizes cost recovery for plan implementation expenditures and approves the tariff sheets necessary to implement FPL's DSM plan modifications.

FPL's Current DSM Plan

4. FPL's current DSM Plan was initially approved by the Commission in 1995.¹

¹ FPL petitioned for plan approval on January 31, 1995. The Commission issued a PAA Order, Order No. PSC-95-0691-FOF-EG in June 1995 approving most of FPL's proposed plan (all programs except CILC). There were no protests of that order. The Commission issued Order No. PSC-95-0865-FOF-EG approving the modifications to FPL's CILC Program in July 1995, and there were no protests of that order.

Subsequent to the submission and approval of FPL's current DSM Plan, the Plan has been modified. The BuildSmart® Program was approved in August 1997 in Order No. PSC-97-1017-S-EG. In May 1997 FPL filed a series of petitions seeking modifications to the Residential Air Conditioning Program, the Duct System Testing and Repair Program, the Residential Building Envelope Program, the C/I Efficient Lighting Program, the C/I HVAC Program and the Off-Peak Battery Charging Program. FPL also filed petitions in May 1997 seeking approval of the C/I Building Envelope Program and seeking to terminate the Residential Heat Recovery Water Heating Program and the C/I Efficient Motors Program. In October 1997 the Commission granted FPL's petitions to terminate the Residential Heat Recovery Water Heating Program and the C/I Efficient Motors Program.² In November 1997 the Commission issued a series of orders approving the program modifications sought by FPL as well as approval of the C/I Building Envelope Program.³ As it is currently configured, FPL's DSM Plan contains six (6) Residential conservation programs,⁴ nine (9) Commercial/Industrial conservation programs,⁵ one (1) research and development conservation

² Order Nos. PSC-97-1350-FOF-EG (C/I Efficient Motors) and PSC-97-1351-FOF-EG (Residential Heat Recovery and Water Heating).

³ Order Nos. PSC-97-1475-FOF-EG (C/I Efficient Lighting), PSC-97-1476-FOF-EG (Off Peak Battery), PSC-97-1479-FOF-EG (Residential Air Conditioning), PSC-97-1480-FOF-EG Duct System Testing), PSC-97-1481-FOF-EG (Residential Building Envelope), PSC-97-1482-FOF-EG C/I Building Envelope), and PSC-97-1483-FOF-EG (C/I HVAC).

⁴ FPL's current residential conservation programs are: Residential Conservation Service (an audit program), Residential New Construction (BuildSmart®), Residential Load Management (On Call), Residential Air Conditioning, Residential Building Envelope, and Duct System Testing and Repair.

⁵ FPL's conservation programs currently available to its Commercial/Industrial customers are: C/I Efficient Lighting, C/I Load Control, C/I Heating, Ventilating & Air Conditioning, C/I Building Envelope, C/I Business Custom Incentives, C/I Off Peak Battery Charging, Business Energy Evaluation, Business On Call, and Cogeneration and Small Power Production.

program,⁶ and three (3) research projects.⁷ Through its conservation programs FPL offers a wide array of conservation measures and audit services to its customers, and through its research efforts FPL has performed extensive DSM research.

FPL's Proposed DSM Plan

5. FPL's proposed DSM Plan, which is described in detail in the Plan Document and the supporting Plan Appendix A being filed with this Petition, will continue most of FPL's conservation offerings with modifications. It also includes one new program and several new research projects. It also reflects the discontinuance of Off-Peak Battery Charging as a separate program (it will be rolled into Business Custom Incentives) and the termination of one research project (Residential Thermal Energy Storage). An overview of FPL's DSM Plan may be found in Section I of the Plan Document. FPL proposes to initiate program modifications and new programs after the Commission has approved the modifications and related changes to Program Standards and there has been an opportunity to train personnel regarding the program changes. Therefore, none of the programs have specific program start up dates. FPL will work with the Commission and its Staff regarding scheduling for program implementation and training.

6. The tariff sheet changes and additions necessary to implement FPL's DSM Plan for which FPL seeks Commission approval are attached in Appendix A (final format) and Appendix B (legislative format).

⁶ Conservation Research and Development Program.

⁷ FPL's currently approved research projects are: Cool Communities, Residential Thermal Energy Storage, and C/I New Construction.

7. FPL's DSM Plan is designed to meet the conservation goals approved for FPL by the Commission in Order No. PSC-99-1942-FOF-EG. The proposed programs in FPL's DSM Plan fully implement all the currently known Achievable Potential under the Rate Impact Measure ("RIM") and Participants tests through 2009.

8. FPL's DSM Plan should achieve the goals set forth in the FEECA and Florida Administrative Code Rule 25-17.001. FPL's DSM Plan will cost-effectively reduce the growth rate of weather-sensitive peak demand, reduce and control the growth rate of energy consumption, increase the conservation of expensive resources and increase the efficiency of the electrical system.

9. FPL's DSM Plan is cost-effective. In Appendix A to the Plan Document, FPL has shown, using the Commission's cost-effectiveness methodology, the cost-effectiveness of each of the proposed programs for which cost-effectiveness can be meaningfully calculated. For several programs FPL is separately seeking a waiver of the requirement that cost-effectiveness analyses be submitted.

10. FPL's DSM Plan is reasonably monitorable. FPL's monitoring efforts for each of its DSM programs and research projects are set forth in the detailed program and project summaries in FPL's Plan Document.

11. FPL is not aware of any disputed issues of material facts. FPL's proposed DSM Plan, which is set forth in the contemporaneously filed Plan Document and Plan Appendix A, should be approved; the Commission should authorize recovery of the reasonable and prudent expenditures associated with FPL's DSM Plan through FPL's ECCR clause; and the Commission should approve the tariff sheets attached as Appendices A and B. The statutes and rules which entitle FPL to relief are Sections 366.82(2), 366.06(1), Florida Statutes (1999), and Florida Administrative Code Rules 25-17.0021 and 25-6.033.

12. There has not been agency action in this proceeding. Therefore, FPL cannot provide a statement of when and how FPL received notice of agency action.

WHEREFORE, FPL respectfully requests that the Commission: (1) approve FPL's modified DSM Plan, a copy of which is filed with this petition, (2) authorize FPL to recover through its ECCR clause reasonable and prudent expenditures associated with the implementation of FPL's DSM Plan, (3) approve the tariff sheets attached as Appendices A and B, and (4) grant such other relief as may be appropriate.

Respectfully submitted,

STEEL HECTOR & DAVIS LLP
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Tallahassee, Florida 32301
(850) 222-2300 (office)
(850) 222-8410 (fax)

Attorneys for Florida
Power & Light Company

By: Charles A. Guyton
Matthew M. Childs, P.A.
Charles A. Guyton

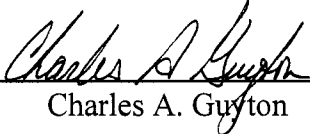
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of (1) the Petition For Approval Of Modifications To Florida Power & Light Company's Demand Side Management Plan, (2) the Demand Side Management Plan of Florida Power & Light Company Plan Document, and (3) the Demand Side Management Plan of Florida Power & Light Company Plan Appendix A in Docket No. 991788-EG, were served by Hand Delivery (when indicated with an *) or mailed this 29th day of December, 1999 to the following:

Stephanie Crossman, Esquire*
Division of Legal Services
Florida Public Service Commission
4075 Esplanade Way, G-370
Tallahassee, Florida 32399-0850

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Tallahassee, Florida 32301

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Charles A. Guyton