

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Energy Conservation Cost
Recovery Plan.

DOCKET NO. 010002-EG
ORDER NO. PSC-01-2389-FOF-EG
ISSUED: December 11, 2001

The following Commissioners participated in the disposition of
this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

APPEARANCES:

James A. McGee, Esquire, Post Office Box 14042, St.
Petersburg, Florida 33733-4042
On behalf of Florida Power Corporation (FPC).

Matthew Childs, Esquire, Steel Hector & Davis LLP, 215
South Monroe Street, #601, Tallahassee, Florida 32301
On behalf of Florida Power & Light Company (FPL).

Jeffery A. Stone, Esquire, and Russell A. Badders,
Esquire, Beggs & Lane, 700 Blount Building, 3 West Garden
Street, Post Office Box 12950, Pensacola, Florida
32576-2950
On behalf of Gulf Power Company (GPC).

Lee L. Willis, Esquire, and James D. Beasley, Esquire,
Ausley & McMullen, Post Office Box 391, Tallahassee,
Florida 32302
On behalf of Tampa Electric Company (TECO).

John W. McWhirter, Jr., Esquire and Vicki Gordon Kaufman,
Esquire, McWhirter, Reeves, McGlothlin, Davidson, Decker,
Kaufman, Arnold & Steen, P.A., 117 South Gadsden Street,
Suite 176, Tallahassee, Florida 32301
On behalf of The Florida Industrial Power Users Group
(FIPUG).

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Robert Vandiver, Esquire, Deputy Public Counsel, Office of Public Counsel, c/o The Florida Legislature, 111 West Madison Street, Room 812, Tallahassee, Florida 32399-1400

On behalf of the Citizens of the State of Florida (OPC).

Marlene K. Stern, Esquire, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

On behalf of the Commission Staff.

FINAL ORDER APPROVING ENERGY CONSERVATION COST RECOVERY AMOUNTS
AND ESTABLISHING ENERGY CONSERVATION COST RECOVERY FACTORS
FOR THE PERIOD JANUARY 2002 THROUGH DECEMBER 2002

I. Case Background

As part of the Commission's ongoing energy conservation cost recovery proceedings, a hearing was held on November 20, 2001, in this docket. Prior to the hearing, the parties reached agreement on all issues. Accordingly, all issues presented were stipulated. We find all the stipulated issues to be reasonable. Therefore, all stipulations are hereby accepted and approved.

II. Generic Energy Conservation Cost Recovery Issues

A. End-of-Period Final True-Up Amounts for Period January 2000 Through December 2000

We approve as reasonable the following stipulation for the final end-of-period true-up amounts for the period January 2000 through December 2000:

FPC:	\$ 9,617,291	Over Recovery
FPL:	\$12,324,927	Over Recovery
GPC:	\$ 867,223	Under Recovery
TECO:	\$ 2,390,385	Over Recovery
FPUC: (Fern.)	\$ 266	Under Recovery
FPUC: (Mari.)	\$ 8,085	Under Recovery

B. Energy Conservation Cost Recovery Factors for Period January 2002 through December 2002

We approve as reasonable the following stipulation as to the appropriate energy conservation cost recovery factors for the period January 2002 through December 2002:

FPC:	<u>Rate Class</u>	<u>ECCR Factor</u>
	Residential	0.207 cents/Kwh
	General Svc. Non-Demand	0.165 cents/Kwh
	@ Primary Voltage	0.163 cents/Kwh
	@ Transmission Voltage	0.162 cents/Kwh
	General Svc. 100% Load Factor	0.130 cents/Kwh
	General Svc. Demand	0.148 cents/Kwh
	@ Primary Voltage	0.147 cents/Kwh
	@ Transmission Voltage	0.145 cents/Kwh
	Curtaillable	0.115 cents/Kwh
	@ Primary Voltage	0.114 cents/Kwh
	@ Transmission Voltage	0.113 cents/Kwh
	Interruptible	0.128 cents/Kwh
	@ Primary Voltage	0.127 cents/kwh
	@ Transmission Voltage	0.125 cents/kwh
	Lighting	0.064 cents/kwh
FPL:	<u>Rate Class</u>	<u>ECCR Factor</u>
	Residential	0.187 cents/Kwh
	General Svc.	0.169 cents/Kwh
	General Svc. Demand	0.159 cents/Kwh
	Sports Service 2	0.113 cents/Kwh
	General Svc. Large 1/Curtaillable 1	0.155 cents/Kwh
	General Svc. Large 2/Curtaillable 2	0.146 cents/Kwh
	General Svc. Large 3/Curtaillable 3	0.144 cents/Kwh
	Interruptible Standby 1D	0.000 cents/Kwh
	Standby Supplemental 1T	0.135 cents/Kwh
	Standby Supplemental 1D	0.151 cents/Kwh
	Commercial Load Control D & G	0.143 cents/Kwh
	Commercial Load Control T	0.136 cents/Kwh
	Metropolitan Transit	0.171 cents/Kwh
	Outdoor/Street Lighting 1	0.090 cents/Kwh
	Street Lighting 2	0.139 cents/Kwh

GPC:	<u>Rate Class</u>	<u>ECCR Factor</u>
	RS, RST	0.064 cents/Kwh
	GS, GST	0.064 cents/Kwh
	GSD, GSDT	0.059 cents/Kwh
	LP, LPT	0.056 cents/Kwh
	PX, PXT, RTP, SBS	0.053 cents/Kwh
	OSI, OSII	0.045 cents/Kwh
	OSIII	0.056 cents/Kwh
	OSIV	0.049 cents/Kwh

TECO:	<u>Rate Class</u>	<u>ECCR Factor</u>
	Interruptible	0.041 cents/Kwh
	Residential	0.116 cents/Kwh
	General Svc. Non-Demand	0.110 cents/Kwh
	General Svc. Demand	0.090 cents/Kwh
	@ Primary Voltage	0.090 cents/Kwh
	General Svc. Large Demand	0.085 cents/Kwh
	@ Primary Voltage	0.084 cents/Kwh
	@ Subtransmission Voltage	0.083 cents/Kwh
	Lighting	0.036 cents/Kwh

FPUC:	<u>Rate Class</u>	<u>ECCR Factor</u>
	(Marianna)	0.083 cents/Kwh
	(Fernandina Beach)	0.058 cents/Kwh

C. Effective Date of the Energy Conservation Cost Recovery Factors for Billing Purposes

We approve as reasonable the following stipulation as to the effective date of the new energy conservation cost recovery factors for billing purposes:

The factors shall be effective beginning with the specified conservation cost recovery cycle and thereafter for the period January 2002, through December 2002. Billing cycles may start before January 1, 2002, and the last cycle may be read after December 31, 2002, so that each customer is billed for twelve months regardless of when the adjustment factor became effective.

III. Company Specific Issues

A. Tampa Electric Company

- i. Billboard Advertising, in the Amount of \$164,154 for the Twelve Months Ending December 31, 2000, Compliance with Rule 25-17.015(5), F.A.C.

We approve as reasonable the following stipulation as to Tampa Electric Company's billboard advertising, in the amount of \$164,154 for the twelve months ending December 31, 2000, and its compliance with rule 25-17.015(5), F.A.C.:

TECO's billboards are part of a cohesive advertising campaign for energy conservation. That campaign includes advertisements in print and broadcast media which identify specific energy conservation programs offered by TECO. Although the billboards do not mention specific conservation programs, or reference energy conservation in all cases, they were designed to prompt recollection of the print and broadcast advertisements by featuring a symbol (a stylized lightbulb) common to all advertisements in the campaign.

- ii. Contracted Credit Value for the GSLM-2 and GSLM-3 Rate Riders For the Period January 2002 Through December 2002

We approve as reasonable the following stipulation as to the contracted credit value for the GSLM-2 and GSLM-3 rate riders for Tampa Electric Company for the period January 2002 through December 2002:

In accordance with Order No. PSC-99-1778-FOF-EI, issued September 10, 1999, in Docket NO. 990037-EI, Tampa Electric has calculated that, for the forthcoming cost recovery period, January 2002 - December 2002, the Contracted Credit Value for the GSLM-2 and GSLMN-3 rate riders will be \$4.37 per KW.

B. Florida Power & Light Company

i. Recovery of Certain Litigation Expenses

We approve as reasonable the following stipulation regarding the appropriateness of allowing FPL to recover Okeelanta/Osceola litigation costs in the amount of \$4,259,178 through the Energy Conservation Cost Recovery Clause for the twelve months ending December 31, 2000:

The Okeelanta/Osceola litigation costs in the amount of \$4,628,740 that Florida Power & Light seeks to recover in the ECCR for the twelve months ending December 31, 2000, is appropriate.

C. Florida Public Utilities Company

i. Recovery of \$21,436 for Promotional Merchandise Associated with the Good Cents Program

We approve as reasonable the following stipulation regarding the recovery by FPUC of \$21,436 for promotional merchandise associated with the Good Cents Program:

FPUC has provided assurance that individuals receiving promotional merchandise understand that the Good Cents program is directly related to an approved conservation program. FPUC has run billboard and print advertisements for Good Cents for 18 years. The billboards and print ads mention energy conservation and/or specific energy saving programs. Therefore, FPUC has created a link between the Good Cents branding, energy conservation, and specific, approved energy saving programs.

FPUC just began distributing promotional merchandise. Most of the promotional merchandise carries the Good Cents logo and FPUC's logo. A few items carry only the FPUC logo. The merchandise is distributed personally to residential and commercial customers when approved energy saving programs are discussed. The FPUC representative distributing the merchandise also provides his or her business card, which carries the Good Cents logo. The

personal delivery of the merchandise combined with the advertisements equating Good Cents with energy conservation and approved conservation programs satisfy the requirements of Rule 25-17.015, Florida Administrative Code.

- ii. Defaulted Loan Expenses in the Amount of \$19,301.51 Charged to FPUC's Good Cents Program

We approve as reasonable the following stipulation regarding the appropriateness of allowing FPUC to charge \$19,301.51 in defaulted loan expenses to its Good Cents Program:

The defaulted loan expenses relate to loans to two customers who have initiated bankruptcy proceedings. FPUC has filed claims for amounts due and will continue to seek recovery of the amounts but has taken appropriate action with respect to the expenses.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the stipulations and findings set forth in the body of this Order are hereby approved. It is further

ORDERED that the utilities named herein are authorized to collect the energy conservation cost recovery amounts and utilize the factors approved herein for the period beginning with the specified conservation cost recovery cycle and thereafter for the period January 1, 2002, through December 31, 2002. Billing cycles may start before January 1, 2002, and the last cycle may be read after December 31, 2002, so that each customer is billed for 12 months regardless of when the adjustment factor became effective. It is further

ORDERED that Tampa Electric Company's billboard advertising, in the amount of \$164,154 for the twelve months ending December 31, 2000, complies with Rule 25-17.015(5), F.A.C. It is further

ORDER NO. PSC-01-2389-FOF-EG
DOCKET NO. 010002-EG
PAGE 8

ORDERED that the Contracted Credit Value for the GSLM-2 and GSLM-3 rate riders for Tampa Electric Company during the period January 2002 through December 2002 will be \$4.37 per kW. It is further

ORDERED that it is appropriate for Florida Power & Light Company to recover Okeelanta/Osceola litigation costs in the Energy Conservation Cost Recovery Clause in the amount of \$4,259,178, for the twelve months ending December 31, 2000. It is further

ORDERED that Florida Public Utilities Company is allowed to recover \$21,436 for promotional merchandise associated with the Good Cents Program. It is further

ORDERED that it is appropriate for Florida Public Utilities Company to recover defaulted loan expenses in the amount of \$19,301.51 charged to its Good Cents Program.

By ORDER of the Florida Public Service Commission this 11th day of December, 2001.



BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), 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.

ORDER NO. PSC-01-2389-FOF-EG

DOCKET NO. 010002-EG

PAGE 9

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of the Commission Clerk and Administrative Services 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 after the issuance of this order, 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.