

ORIGINAL

DOCKET NO. 030975-EI

RECEIVED-FPSC

CERTIFICATION OF

88 DEC 18 PM 3:17

PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES

COMMISSION
CLERK

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

US _____
AF _____
MP _____
OM _____
TR _____
CR _____
CL _____
PC _____
MS _____
EC _____
TH _____

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
DEC 17 11:11 AM '88
FILED

DOCUMENT NUMBER-DATE

13167 DEC 18 88

FPSC-COMMISSION CLERK

not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small-business ombudsman.

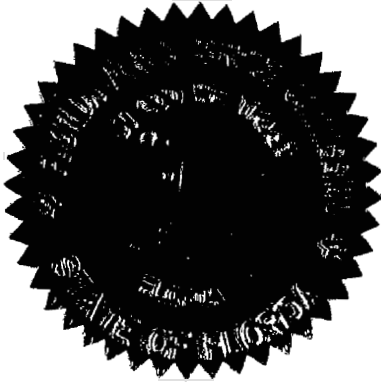
Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No.

25-6.-0437

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: _____
(month) (day) (year)



CTM

Blanca S. Baió for
BLANCA S. BAIÓ, Director
Division of the Commission Clerk
and Administrative Services

Number of Pages Certified

1 25-6.0437 Cost of Service Load Research.

2 (1) Applicability. This rule shall apply to all investor-
3 owned electric utilities over which the Commission has jurisdiction
4 and which provide electric service to more than 50,000 retail
5 customers at the end of any calendar year ~~had gross annual retail~~
6 ~~sales of 500 GWH or more in 1983.~~

7 (2) Purpose. The primary purpose of this rule is to require
8 that load research that supports cost of service studies used in
9 ratemaking proceedings is of sufficient precision to reasonably
10 assure that tariffs are equitable and reflect the true costs of
11 serving each class of customer. Load research data gathered and
12 submitted in accordance with this rule will also be used by the
13 Commission to allocate costs to the customer classes in cost
14 recovery clause proceedings, in evaluating proposed and operating
15 conservation programs, for research, and for other purposes
16 consistent with the Commission's responsibilities.

17 (3) Sampling Plan. Within 90 days of becoming subject to
18 this rule, each utility ~~All utilities subject to this rule shall,~~
19 ~~within 90 days of the effective date of this rule,~~ shall submit to
20 the Commission a proposed load research sampling plan. The plan
21 shall provide for sampling all rate classes that account for more
22 than 1 percent of a utility's annual retail sales. The plan shall
23 provide that all covered rate classes shall be sampled within two
24 years of the effective date of this rule. The sampling plan shall
25 be designed to provide estimates of ~~the summer and winter peak~~

CODING: Words underlined are additions; words in ~~struck~~
~~through~~ type are deletions from existing law.

RECEIVED
ALLAHOE SERVICE STATE
IDAHO
DEC 17 11:11:35
P.M. P.D.

1 | ~~demand by class and the averages of the 12 monthly coincident peaks~~
2 | ~~for each class within plus or minus 10 percent at the 90 percent~~
3 | ~~confidence level. The sampling plan shall also be designed to~~
4 | ~~provide estimates of the summer and winter peak demands for each~~
5 | ~~rate class within plus or minus 10 percent at the 90 percent~~
6 | ~~confidence level, except for the General Service Non-Demand rate~~
7 | ~~class. The sampling plan shall be designed to provide estimates of~~
8 | ~~the summer and winter peak demands for the General Service Non-~~
9 | ~~Demand rate class within plus or minus 15 percent at the 90 percent~~
10 | ~~confidence level Any utility subject to this rule may apply to the~~
11 | ~~Commission to waive the requirements hereof for any specific~~
12 | ~~covered rate class.~~

13 | (4) Review of Proposed Plan. Except where a utility has
14 | requested a formal ruling by the Commission, within 90 days after
15 | submission, the Commission's Division of Economic Regulation
16 | ~~Electric and Gas Department~~ shall review each utility's plan to
17 | determine whether it satisfies the criteria set forth in Section 3
18 | above and shall notify the utility in writing of its decision
19 | accepting or rejecting the proposed sampling plan. If a proposed
20 | plan is rejected, the written notice of rejection shall state
21 | clearly the reasons for rejecting the proposed plan. If a
22 | utility's proposed plan is rejected the utility shall submit a
23 | revised sampling plan to the Commission within 60 days after
24 | receiving the notice of rejection. Where a utility has requested
25 | staff review of its sampling plan and the plan has been rejected

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 the utility may petition the Commission for approval of the plan.
2 If a utility has not submitted a satisfactory sampling plan within
3 6 months following the submission of the initially proposed plan,
4 the Commission may prescribe by order a sampling plan for the
5 utility.

6 (5) Use of Approved Sampling Plan. The approved sampling
7 plan shall be used for all load research performed for cost of
8 service studies and other studies submitted to the Commission until
9 a new sampling plan is approved by the Commission.

10 (6) Revised Sampling Plans. Each utility subject to this
11 rule shall submit a current, revised sampling plan to the
12 Commission no less often than every three ~~two~~ years after the most
13 recent initial sampling plan was required to be submitted is
14 approved. Any new or revised plan shall be developed using data
15 from the utility's most current load research to determine the
16 required sampling plan to achieve the precision required in Section
17 3 of this rule. New or revised plans shall be reviewed by the
18 Commission pursuant to Section 4 of this rule.

19 (7) Load Research Data to be Reported. Each utility subject
20 to this rule shall perform a complete load research study in
21 accordance with the specifications of this rule ~~by December 31,~~
22 ~~1985~~ and no less often than every three years ~~two years~~ thereafter.
23 Each utility shall, within 120 days following completion of the
24 study, submit to the Commission the results of each load research
25 study completed after the effective date of this rule. The

CODING: Words underlined are additions; words in ~~struck~~
~~through~~ type are deletions from existing law.

1 submission shall include a detailed calculation of the average 12
2 coincident peak and class load factors for each covered rate class
3 based upon the load research results ~~This submission shall include~~
4 ~~the hourly load data described in Section (8) for the residential~~
5 ~~class. The load research results of each study shall be submitted~~
6 ~~in a form prescribed by the Commission.~~

7 (8) Hourly Data to be Available Upon Request. Each utility
8 subject to this rule shall make available within 30 ~~90~~ days of a
9 request by the Commission the estimated hourly demands by class for
10 all ~~8760~~ hours in the year derived from this Load Research.

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

12 Law Implemented: 350.117, 366.03, 366.04(2)(f), 366.05(1),
13 366.06(1), 366.82(3)(4), F.S.

14 History: New 3/11/84, formerly 25-6.437, amended _____.

15
16
17
18
19
20
21
22
23
24
25

CODING: Words underlined are additions; words in ~~struck~~
~~through~~ type are deletions from existing law.

SUMMARY OF RULE

This rule requires investor-owned electric utilities subject to this rule to submit a current, revised load research sampling plan at least every three years and perform a complete load research study every three years.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The existing load research rule has been in effect since 1984, and has not been amended since that time. The Commission has granted several waivers of portions of the rule requirements. It is now appropriate to amend the rule based on the Commission's experience with the existing rule. For the most part, the changes to the rule streamline and ease reporting requirements. Because the results reported for the most recent load research cycles have been relatively stable, the rule is amended to require the filing of sampling plans and results every three years, in lieu of the current two-year requirement. The proposed amendment to the precision requirement for the General Service Non-Demand (GS) rate class will decrease the number of sample meters required for the class. The GS class, because of its diversity, has always been problematic, and the Commission has

FILED
JUL 17 AM 11:25
REGISTRATION DIVISION
STATE OF FLORIDA

granted several rule waivers that have allowed Florida Power and Light Company to design their load research sampling plans for this relaxed precision requirement for the GS class.

The amendment will also eliminate the requirement that hourly load data for the residential class be submitted with the load research results. These data are not used by Commission staff for any purpose at this time, and if they are needed, they must be provided at Commission request pursuant to paragraph 8 of the rule. The amendment adds one new requirement for the utilities to file a calculation of the 12 coincident peak and class load factors for each rate class with their load research results. These load factors are applied in the capacity, conservation, and environmental cost recovery clauses to allocate costs to the rate classes. Because of the importance of these factors, they should be provided as a part of the load research results. Currently, staff requests the calculation of these load factors through the discovery process in each of the recovery clause proceedings. Filing the load factors with the load research results will be more efficient.