

**Susan D. Ritenour**  
Secretary and Treasurer  
and Regulatory Manager

One Energy Place  
Pensacola, Florida 32520-0781

Tel 850.444.6231  
Fax 850.444.6026  
SDRITENO@southernco.com



August 17, 2010

Ms. Ann Cole  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399-0870

RECEIVED-FPSCC  
10 AUG 18 PM 3:56  
COMMISSION  
CLERK

100378-E

Dear Ms. Cole:

Enclosed for official filing are an original and fifteen copies of the Petition for Approval of Modifications to Rate Schedule BERS – Building Energy Rating System (BERS) to Gulf Power Company's Tariff Sheet No. 6.87. A coded copy of the tariff sheet has been provided to show the changes to the existing tariff sheet.

Upon approval, please return a copy of the approved tariff sheets to my attention.

Sincerely,

lw

Enclosures

COM \_\_\_\_\_ cc: Beggs & Lane  
APA \_\_\_\_\_ Jeffrey A. Stone, Esquire  
ECR 12  
GCL 2  
RAD \_\_\_\_\_  
SSC \_\_\_\_\_  
ADM \_\_\_\_\_  
OPC \_\_\_\_\_  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Approval of )  
Modifications to Rate Schedule BERS )  
-- Building Energy Rating System )  
(BERS) )  
\_\_\_\_\_ )

DOCKET NO.: 100378-E1  
FILED: August 17, 2010

PETITION

Gulf Power Company ("Gulf Power" or "the Company") pursuant to section 366.06, Florida Statutes and Rules 28-106.201 and 25-9.031, Florida Administrative Code, files this Petition for Approval of Modifications to Rate Schedule BERS Building Energy Rating System (BERS) by Gulf Power Company, and in support thereof says:

- 1. The name, address, telephone number and facsimile number of the Petitioner are:

Gulf Power Company  
One Energy Place  
Pensacola, Florida 32520-0780  
(850) 444-6231  
(850) 444-6026 (fax)

- 2. Gulf Power is an investor-owned electric utility subject to the jurisdiction of this Commission under Chapter 366, Florida Statutes.

- 3. All notices, pleadings and correspondence required to be served on the Petitioner should be directed to:

Jeffrey A. Stone  
Russell A. Badders  
Steven R. Griffin  
Beggs & Lane  
501 Commendencia Street  
Pensacola, Florida 32502  
(850) 432-2451

Susan D. Ritenour  
Secretary and Treasurer  
Gulf Power Company  
One Energy Place  
Pensacola, Florida 32520-0780  
(850) 444-6231  
(850) 444-6026 (fax)

4. In this petition, Gulf Power seeks approval of modifications to its Rate Schedule BERS Building Energy Rating System (BERS). Specifically, Gulf Power seeks to modify its fee schedule for performing Building Energy-Efficiency Rating System (BERS) Audits.

**BACKGROUND**

5. A Building Energy-Efficiency Rating System Audit is “an energy analysis of a residence performed in compliance with Section 553.995, F.S., and subsections 9B-60.004(3) and (4) and Rule 9B-60.005, F.A.C.” Rule 25-17.003(2)(a), F.A.C. BERS ratings provide a standard measurement of a home’s energy efficiency. Ratings are used for both new and existing homes. In new homes, ratings often verify energy performance for the ENERGY STAR homes program, energy efficient mortgages and energy code compliance. Owners of existing homes can use a BERS rating to evaluate and pinpoint specific, cost-effective energy efficiency improvements and determine whether they qualify for energy efficiency tax incentives. BERS ratings also provide a means to quantify and compare the energy efficiency of homes.

6. Commission rules require Gulf Power and other electric utilities in Florida to offer and perform BERS Audits for eligible residential customers. See, Rule 25-17.003(3)(a), F.A.C. Commission rules further provide that “every public utility shall charge an eligible customer for a BERS Audit. The amount of this charge, which shall reflect actual cost, shall first be filed with the Commission as part of the utility’s tariff.” Rule 25-17.003(3)(a), F.A.C.

7. Pursuant to Rate Schedule BERS, Gulf Power currently charges the following for BERS Audits:

<u>Rating</u>	<u>New Home</u>	<u>Existing Home</u>
Class I	\$250.00	\$250.00
Class II	\$150.00	\$150.00

Class III

\$100.00

n/a

### PROPOSED MODIFICATIONS

8. The foregoing fee schedule was approved by the Commission in September 1999 and no longer reflects Gulf Power's actual cost to perform the service. Since 1999, Gulf Power's cost of performing BERS Audits has increased. Gulf's costs have increased as a result of inflation and as a result of new rating standards adopted by the Residential Energy Services Network (RESNET)<sup>1</sup> which have imposed testing and verification requirements beyond those in existence in 1999.

9. While the number of BERS Audits performed by Gulf Power in a given year is relatively small,<sup>2</sup> Gulf believes it is important to align its BERS Audit fees with its actual costs, as required by Rule 25-17.003(3)(a), F.A.C. Gulf therefore requests to modify its fee schedule as follows:

<u>Rating</u>	<u>New Home</u>	<u>Existing Home</u>
Class I	\$500.00	\$500.00
Class II	\$200.00	\$200.00
Class III	\$120.00	n/a

The foregoing fees assume the existence of residences having a single duct system and 2,000 square feet or less of conditioned living space. For residences having greater than 2,000 square feet of conditioned living space, an additional \$0.10 per square foot of conditioned living space

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<sup>1</sup> RESNET's standards are officially recognized by the federal government for verification of building energy performance for such programs as federal tax incentives, the Environmental Protection Agency's ENERGY STAR program and the U.S. Department of Energy's Building America Program. RESNET standards are also recognized by the U.S. mortgage industry for capitalizing a building's energy performance in the mortgage loan, and certification of "White Tags" for private financial investors.

<sup>2</sup> For example, in 2008 and 2009 Gulf performed seven and fourteen BERS Audits, respectively.

may be added to the fee. Similarly, for residences having more than one duct system, \$35 may be added to the fee for each additional duct system.

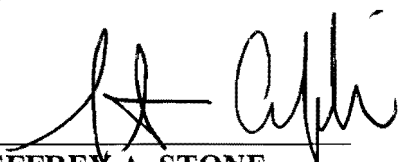
10. Gulf Power's proposed modifications are reflected on First Revised Tariff Sheet No. 6.87, attached hereto in standard and legislative format as Exhibit "A" and Exhibit "B," respectively.

11. Gulf Power's modified fee schedule is consistent with the results of a February 27, 2009, RESNET survey of the average national cost of home energy ratings. This survey of RESNET-accredited energy raters in fifteen states (including Florida) revealed a national average per-rating cost of \$492.

12. Gulf Power is not aware of any disputed issues of material fact relative to the subject matter of this petition.

**WHEREFORE,** Gulf Power respectfully requests that the Commission grant this Petition for Approval of Modifications to Rate Schedule BERS and approve First Revised Tariff Sheet No. 6.87 as set forth in Exhibit "A." The Company requests that such approval be made effective at the expiration of the appropriate notice period pertaining to tariff modifications.

Respectfully submitted this 17th day of August, 2010.



**JEFFREY A. STONE**  
Florida Bar No.: 325953  
**RUSSELL A. BADDERS**  
Florida Bar No.: 007455  
**STEVEN R. GRIFFIN**  
Florida Bar No.: 0627569  
**Beggs & Lane**  
P.O. Box 12950  
Pensacola, Florida 32591  
(850) 432-2451  
**Attorneys for Gulf Power Company**

**Exhibit A**

# **Tariff Sheet**

**RATE SCHEDULE BERS  
BUILDING ENERGY RATING SYSTEM  
(BERS)**

PAGE 1 of 2	EFFECTIVE DATE
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**AVAILABILITY:**

Available to all single-family residential buildings within Gulf Power's service territory excluding mobile (manufactured) homes.

**APPLICABILITY:**

Existing Home – Upon request, a state Certified Rater will perform an on-site energy audit and provide a BERS Certificate as outlined in Rule 9B-60 of the Florida Administrative Code.

New Home Construction – Upon request, a state Certified Rater will provide a BERS Certificate using the Florida Energy Efficiency Code for Building Construction Whole Building Performance Method A.

**FEE SCHEDULE:**

<u>Rating</u>	<u>New Home</u>	<u>Existing Home</u>
Class I	\$500.00	\$500.00
Class II	\$200.00	\$200.00
Class III	\$120.00	N/A

The foregoing fees assume the existence of residences having a single duct system and 2,000 square feet or less of conditioned living space. For residences having greater than 2,000 square feet of conditioned living space, an additional \$.10 per square foot of conditioned living space may be added to the fee. Similarly, for residences having more than one duct system, \$35.00 may be added to the fee for each additional duct system.

In addition to the above charges, a registration fee for each rating will be added as set forth by the state approved BERS registration agency (Florida Solar Energy Center).

**TERMS OF PAYMENT:**

The rating fee and registration fee shall be payable after the rating is completed but prior to delivery of the BERS certificate.

**ISSUED BY:** Susan Story

# **Legislative Format**





Section No. VI  
First RevisedOriginal Sheet No. 6.87  
 Canceling Original Sheet No. 6.87

## RATE SCHEDULE BERS BUILDING ENERGY RATING SYSTEM (BERS)

PAGE 1 of 2	EFFECTIVE DATE September 2, 1999
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### AVAILABILITY:

Available to all single-family residential buildings within Gulf Power's service territory excluding mobile (manufactured) homes.

### APPLICABILITY:

Existing Home – Upon request, a state Certified Rater will perform an on-site energy audit and provide a BERS Certificate as outlined in Rule 9B-60 of the Florida Administrative Code.

New Home Construction – Upon request, a state Certified Rater will provide a BERS Certificate using the Florida Energy Efficiency Code for Building Construction Whole Building Performance Method A.

### FEE SCHEDULE:

<u>Rating</u>	<u>New Home</u>	<u>Existing Home</u>
Class I	\$ <u>500.00</u> <del>250.00</del>	\$ <u>500.00</u> <del>250.00</del>
Class II	\$ <u>200.00</u> <del>150.00</del>	\$ <u>200.00</u> <del>150.00</del>
Class III	\$ <u>120.00</u> <del>100.00</del>	N/A

The foregoing fees assume the existence of residences having a single duct system and 2,000 square feet or less of conditioned living space. For residences having greater than 2,000 square feet of conditioned living space, an additional \$.10 per square foot of conditioned living space may be added to the fee. Similarly, for residences having more than one duct system, \$35.00 may be added to the fee for each additional duct system.

In addition to the above charges, a registration fee for each rating will be added as set forth by the state approved BERS registration agency (Florida Solar Energy Center).

### TERMS OF PAYMENT:

The rating fee and registration fee shall be payable after the rating is completed but prior to delivery of the BERS certificate.

ISSUED BY: Susan Story~~Travis Bowden~~