

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for approval of residential service dynamic price response pilot rate by Florida Power & Light Company. | DOCKET NO. 110031-EG  
| ORDER NO. PSC-11-0176-PCO-EG  
| ISSUED: March 28, 2011

The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman  
LISA POLAK EDGAR  
RONALD A. BRISÉ  
EDUARDO E. BALBIS  
JULIE I. BROWN

ORDER SUSPENDING TARIFFS

BY THE COMMISSION:

On January 14, 2011, Florida Power & Light Company (FPL) petitioned the Commission for approval of its proposed Residential Service Dynamic Price Response Pilot Rate ("Pilot Rate") program and associated Tariff Sheets Nos. 8.220 and 8.030.2. The Pilot Rate program proposed by FPL is an effort to fulfill its commitment under the terms of a grant FPL was awarded by the Department of Energy. The \$200 million grant, which is stimulus funds from the American Recovery and Reinvestment Act (ARRA), was awarded to FPL for the implementation of its Energy Smart Florida (ESF) In-Home Technology Project (the Project). We have jurisdiction over this matter pursuant to Section 366.06(1), Florida Statutes.

Pursuant to Section 366.03(3), Florida Statutes, we may withhold consent to the operation of all or any portion of the new rate schedules, delivering to the utility requesting such increase a reason or written statement of good cause for doing so within 60 days. Having reviewed the Utility's petition, we require additional time to gather information and make an informed decision on FPL's proposed Pilot Rate program and its associated tariff sheets. This reason constitutes good cause to suspend the tariffs, consistent with the requirement of Section 366.06 (3), F.S.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Florida Power & Light Company's Pilot Rate program and its associated tariff sheets shall be suspended. It is further

ORDERED that this docket shall remain open.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 28th day of March,  
2011.



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ANN COLE  
Commission Clerk  
Florida Public Service Commission  
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( S E A L )

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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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, 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 or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.