

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

**In re: Request to opt-out of cost recovery for investor-owned electric utility energy efficiency programs by Wal-Mart Stores East, LP and Sam's East, Inc. and Florida Industrial Power Users Group .**

**DOCKET NO. 140226-EI**

**Date: August 20, 2015**

**THE SOUTHERN ALLIANCE FOR CLEAN ENERGY'S  
POST-HEARING STATEMENT**

The Southern Alliance for Clean Energy ("SACE"), by and through its undersigned counsel, and pursuant to Order Nos. PSC-15-0149-PCO-EI, and PSC-15-0290-PHO-EI, hereby files its Post-hearing Statement.

**Statement of Basic Position**

SACE views the proposal by Walmart and FIPUG to opt-out of energy efficiency programs as not yet fully developed to warrant approval by the Commission at this time. It is well established that energy efficiency measures from utility-sponsored programs help customers reduce energy use and save money on bills, while also reducing overall utility system costs for all customers. SACE believes, that as a matter of course, Walmart, on its own, captures more annual energy savings in its stores than the microscopic commercial / industrial ("C/I") utility energy savings goals established by this Commission recently in Order No. PSC-14-0696-FOF-EU. Yet, the proposal put forth by petitioners should be based on evaluation, measurement and verification ("EM&V") drawn from best practices in self-directed programs employed in other states. That way, the Commission can be assured the savings are being realized, and that such savings can be relied upon and passed through to the utility resource planning process. The criteria proposed by Walmart do not meet this threshold. Self-direct programs for C/I customers

in Florida would be a significant shift in policy, but one, that in principle, SACE does not oppose. The establishment for criteria, including EM&V criteria, for a C/I self direct programs should be developed in a transparent and deliberate fashion and open to input from interested stakeholders.

### SACE's Position on the Issues

**ISSUE 1:** Should the Commission require the utilities to separate their Energy Conservation Cost Recovery expenditures into two categories, one for Energy Efficiency programs and the other for Demand Side Management programs?

**SACE position:** \*No, not at this time.\*

**ISSUE 2:** Should the Commission allow pro-active non-residential customers who implement their own energy efficiency programs and meet certain other criteria to opt out of the utility's Energy Efficiency programs and not be required to pay the cost recovery charges for the utility's Energy Efficiency programs approved by the Commission pursuant to Section 366.82, Florida Statutes?

**SACE position:** \*No, not at this time. While SACE believes that Walmart captures more annual energy savings from its stores than the anemic C/I annual energy savings goals set by this Commission, such an “opt-out” policy should be based on best practices in self-directed programs in other states.\*

**ISSUE 3:** If the Commission allows pro-active customers to opt out of participating in, and paying for, a utility's Energy Efficiency programs, what criteria should the Commission apply in determining whether customers who wish to opt out are eligible to do so.

**SACE position:** \*SACE reiterates that criteria should based on bests practices from self-direct programs in other states. The criteria proposed by Walmart do not rise to the level of best practices. It is not clear that the Commission can establish generally applicable criteria through commission order. \*

Respectfully Submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by electronic mail this 20<sup>th</sup> day of August, 2015, to the following:

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