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-M-E-M-O-R-A-N-D-U-M-

DATE: September 9, 2008
TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk
FROM: Karen W. Webb, Economic Analyst, Office of Strategic Analysis and
Governmental Affairs
RE: Docket file for Docket No. 080503-E1 - Establishment of rule on Renewable
Portfolio Standard

Please place the attached letter from the Florida Electric Cooperatives Association in the docket file.

KWW
Attachment

DOCUMENT NUMBER-DATE

08352 SEP-98

FPSC-COMMISSION CLERK

Kimberley Pena

From: Mark Futrell
Sent: Thursday, September 04, 2008 6:13 PM
To: Karen Webb
Subject: FW: comments on proposed renewable rules
Follow Up Flag: Follow up
Flag Status: Green
Attachments: Comments of the Florida Electric Cooperatives Association.wpd; Comments of the Florida Electric Cooperatives Association.doc

Coop RPS comments...

From: Michelle Hershel [mailto:mhershel@embarqmail.com]
Sent: Monday, August 25, 2008 2:08 PM
To: Cindy Miller; Mark Futrell
Subject: comments on proposed renewable rules

Hi Cindy & Mark- attached are FECA's comments (in word and wordperfect) on the proposed renewable rules- hopefully we won't take up too much time tomorrow since you have these. thanks. michelle

Michelle Hershel
Director of Regulatory Affairs
Florida Electric Cooperatives Assn.
2916 Apalachee Parkway
Tallahassee, FL 32301
(850) 877-6166, ext. 3

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**Comments of the Florida Electric Cooperatives Association on
Proposed Rule 25-17.410, Florida Renewable Energy Credit
Market and Proposed Rule 25-17.420 Municipal Electric
Utility and Rural Electric Cooperative Renewable
Energy Reporting**

I. **Proposed Rule 25-17.410(1)(b), Florida Renewable Energy Credit Market**

This section is ambiguous. If the intent of proposed Rule 25-17.410(1)(b) is to give direction to the investor-owned utilities to allow for the participation from eligible entities in the development and administration of the renewable energy credit market, we believe the following amended language will clarify the staff's intent:

~~(b) Municipal electric utilities and rural electric utilities are encouraged to participate in the~~ The investor-owned utilities shall allow participation by the municipal electric utilities and rural electric cooperatives in the development of a Florida Renewable Credit Market to ensure fair and equitable access to all possible participants in both the development and administration of the REC market.

II. **Proposed Rule 25-17.420, Municipal Electric Utility and Rural Electric Cooperative Renewable Energy Reporting**

FECA's members always have, and will continue to, voluntarily submit information to the Commission through a data request or other informal means. With the adoption of the proposed rule, FECA's members would be required to file 3 separate reports on renewables¹ in addition to filing renewable information in 10-year site plans and in power plant need determination petitions. FECA believes that a utility should not be required to look at more than one rule to determine the information that must be filed for renewables, and that all of these reporting requirements should be deleted from the rules and incorporated into a single data request. In addition, it is very questionable whether the Commission has jurisdiction to adopt any reporting requirements outside those enumerated in the statute, in this case the standards that the co-op board adopts to promote renewable resources. At a minimum, Rule 25-17.300 should be deleted prior to the adoption of the proposed rule to simplify and consolidate reporting requirements.

¹ PSC Rules 25-17.300 and 25-6.065 include similar reporting requirements for renewables

If staff still feels a reporting rule is necessary, FECA offers the following proposal:

Strike all of staff's proposed Rule 25-17.420 and insert:

25-17.420 Municipal Electric Utility and Rural Electric Cooperative Renewable Energy Reporting

(1) Each municipal electric utility and rural electric cooperative shall submit to the Commission an annual report no later than April 1 of each year for the previous calendar year. Each utility's report shall include a renewable energy standard which promotes, encourages, and expands the use of renewable energy resources.

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