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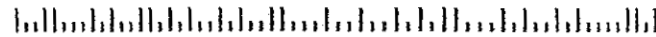
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Val Janschut
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Gulf Breeze FL 32561

docket-080503
Agenda 1/9/09

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FLORIDA PUBLIC SERVICE COMMISSION

SPECIAL COMMISSION CONFERENCE AGENDA

CONFERENCE DATE AND TIME: Friday, January 9, 2009, 1:30 p.m.

LOCATION: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148

DATE ISSUED: December 31, 2008

NOTICE

To obtain a copy of staff's recommendation for any item on this agenda, contact the Office of Commission Clerk at (850) 413-6770. There may be a charge for the copy. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com>, at no charge.

Any person requiring some accommodation at this conference because of a physical impairment should call the Office of Commission Clerk at (850) 413-6770 at least 48 hours before the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1-800-955-8771 (TDD). Assistive Listening Devices are available in the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

An audio version of the conference is available and can be accessed live on the PSC Website on the day of the Conference. The audio version is available through archive storage for up to three months after the conference.

ITEM NO.

CASE

1**

Docket No. 080503-EI – Establishment of rule on renewable portfolio standard.

Critical Date(s): Draft rule due to the Legislature by February 1, 2009

Commissioners Assigned: All Commissioners

Prehearing Officer: Argenziano

Staff: GCL: Miller, Cibula

SGA: Ballinger, Chase, Crawford, Futrell, Harlow, Rudd, Trapp

Issue 1: Should the Commission submit to the Legislature the October 14, 2008 draft Rule 25-17.400, F.A.C., entitled *Florida Renewable Portfolio Standard*, and draft Rule 25-17.410, F.A.C., entitled *Florida Renewable Energy Credit Market*, as set forth in Attachment A of staff's memorandum dated December 31, 2008?

Recommendation: Yes. The Commission should submit to the Legislature the October 14, 2008 draft rules as one alternative for consideration. Staff would recommend, however, minor changes to these draft rules as follows:

- (1) Modification to the 2017 RPS from 5 percent to 6 percent. (See Section 25-17.400(3)(a));
- (2) Clarification that the implementation plans required by the IOUs will be approved by the Commission. (See Sections 25-17.400(4));
- (3) Clarification of the types of costs that can be counted toward the rate cap. (See Section 25-17.400(5)(d));
- (4) Removing the provision for a separately determined ROE for IOU self-build renewable projects in the RECR clause. Thus, the IOU's last authorized ROE would be utilized. (See Section 25-17.400(7)(a)1);
- (5) Three revisions to the RECR clause proceeding to change the projected period in one of the filing requirements; to remove an unnecessary filing requirement; and to include the Renewable Energy Charge as a line-item on customer bills. (See Section 25-17.400(7)(c)); and
- (6) Inclusion of reference to the Commission's complaint resolution process to address disputes between IOUs and renewable energy developers. (See Rule 25-17.410(11))

These modifications to the draft rule are discussed in the staff analysis and shown in Attachment A of staff's memorandum dated December 31, 2008, in type and strike format.

The Commission may also decide to consider further revisions to the draft rule which are presented as policy options in Section IV of the staff analysis and based on the Commission's direction at the October 14, 2008 Agenda Conference.