

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Proposed amendment of Rule 25- ) DOCKET NO. 202000181-EU  
17.0021, F.A.C., Goals for Electric )  
Utilities )  
\_\_\_\_\_ )

**FLORIDA LEAGUE OF UNITED LATIN AMERICAN CITIZENS' &  
ENVIRONMENTAL CONFEDERATION OF SOUTHWEST FLORIDA'S  
PROPOSED CHANGES TO RULE 25-17.0021, F.A.C.**

Pursuant to the Notice of Commission Rule Hearing in Docket No. 20200181-EU, issued on April 13, 2023, the Florida League of United Latin American Citizens (“LULAC”) and the Environmental Confederation of Southwest Florida (“ECOSWF”) hereby submit proposed rule language for the Commission to consider at the rule hearing on May 2, 2023. The specific rule language for consideration is attached as Attachments 1-6. Attachments 1-6 include the proposed amendments to Rule 25-17.0021, F.A.C., as contained in Order No. PSC-2023-0104-NOR-EU, issued March 15, 2023, and then makes proposed changes via redline to those amendments, double-underscoring LULAC’s and ECOSWF’s proposed additions, and striking-through with a redline LULAC’s and ECOSWF’s proposed deletions. Six different alternatives are submitted to provide a menu of options for the Commission to consider.

Attachment 1 is LULAC’s and ECOSWF’s preferred alternative and includes all of LULAC’s and ECOSWF’s recommended changes to Rule 25-17.0021, F.A.C., including all of the other substantive changes from the other attachments. Attachment 2 is the same as Attachment 1, except that it retains the use of the Rate Impact Measure test in the goal-setting process. Attachment 3 solely addresses adding language to ensure that there are separate low-income goals. Attachment 4 solely addresses adding language to exempt low-income measures and programs from standard cost-effectiveness and free ridership considerations. Attachment 5

solely addresses free ridership considerations and prohibits the use of simple payback duration in connection with free ridership. Attachment 6 solely addresses adding the Utility Cost Test (“UCT”) for consideration in the goal-setting process. LULAC and ECOSWF look forward to discussing all of these alternatives at the rule hearing on May 2<sup>nd</sup> and look forward to addressing any questions from the Commission at that time.

Respectfully submitted this 25th day of April, 2023.

/s/ Bradley Marshall  
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***Counsel for League of United Latin  
American Citizens of Florida and  
Environmental Confederation of  
Southwest Florida***

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true copy and correct copy of the foregoing was served on this 25th day of April, 2023, via electronic mail on:

Jon Rubottom Florida Public Service Commission Office of the General Counsel 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850 jrubotto@psc.state.fl.us	
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DATED this 25th day of April, 2023.

/s/ Bradley Marshall, Attorney

# **Attachment 1**

Rule 25-17.0021, F.A.C. Proposed Revisions in Docket No. 20200181-EU by the  
League of United Latin American Citizens of Florida and the  
Environmental Confederation of Southwest Florida

1       **25-17.0021 Goals for Electric Utilities.**

2           (1) The Commission ~~will shall~~ initiate a proceeding at least once every five years to  
3 establish numerical goals for each affected electric utility, as defined by Section 366.82(1)(a),  
4 F.S., to reduce the growth rates of weather-sensitive peak demand, to reduce and control the  
5 growth rates of electric consumption, and to increase the conservation of expensive resources,  
6 such as petroleum fuels. The Commission will set annual Overall Residential kilowatt (KW)  
7 and kilowatt-hour (KWH) goals and annual overall Commercial/Industrial KW and KWH  
8 goals shall be set by the Commission for each year over a ten-year period. The goals, will shall  
9 be based on:

10           (a) An assessment of the technical potential of available measures; and

11           (b) aAn estimate of the total cost-effective KW kilowatt and KWH kilowatt-hour  
12 savings reasonably achievable through demand-side management programs in each utility's  
13 service area over a ten-year period. ~~The Commission may give consideration to balancing the~~  
14 level of cost-effective demand side management goals with their potential effects on customer  
15 rates and bills; and

16           (c) Discrete KW and KWH savings for Low Income Customers provided through  
17 income qualified demand-side management programs in each utility's service area over a ten-  
18 year period. These savings goals shall be proportionate to the population of Low Income  
19 customers within the utility's service area. For the purposes of this Rule, the term "Low  
20 Income Customer" means households earning at or below two hundred percent (200%) of the  
21 Federal Poverty Level, as determined annually by the United States Department of Health and  
22 Human Services. "Income qualified" demand-side management programs are those programs  
23 which are designed to serve Low Income Customers.

24           (d) In addition to the numeric goals above, the Commission may give consideration to  
25 other goals.

1           (2) Pursuant to the schedule in an order establishing procedure in the proceeding to  
2 establish demand-side management goals, each utility must file a technical potential study.  
3 ~~The Commission shall set goals for each utility at least once every five years.~~ The technical  
4 potential study must be used to develop the proposed demand-side management goals, and it  
5 must assess the full technical potential of all available demand-side conservation and  
6 efficiency measures, including demand-side renewable energy systems, associated with each  
7 of the following market segments and major end-use categories.

8 Residential Market Segment:

9 (Existing Homes and New Construction should be separately evaluated) Major End-Use

10 Category

- 11           (a) Building Envelope Efficiencies.  
12           (b) Cooling and Heating Efficiencies.  
13           (c) Water Heating Systems.  
14           (d) Lighting Efficiencies.  
15           (e) Appliance Efficiencies.  
16           (f) Peak Load Shaving.  
17           (g) Solar Energy and Renewable Energy Sources.  
18           (h) Efficient Electricity Substitutes for Natural Gas.  
19           (i) Other.

20 Commercial/Industrial Market Segment:

21 (Existing Facilities and New Construction should be separately evaluated) Major End-Use

22 Category

- 23           ~~(h)~~ Building Envelope Efficiencies.  
24           ~~(k)~~ Cooling and Heating Efficiencies.  
25           ~~(l)~~ Lighting Efficiencies.

- 1 ~~(km)~~ Appliance Efficiencies.
- 2 ~~(ln)~~ Power Equipment/Motor Efficiency.
- 3 ~~(mo)~~ Peak Load Shaving.
- 4 ~~(np)~~ Water Heating Systems.
- 5 ~~(oq)~~ Refrigeration/Freezing Equipment.
- 6 ~~(pr)~~ Solar Energy and Renewable Energy Sources.
- 7 ~~(s)~~ Efficient Electricity Substitutes for Natural Gas.
- 8 ~~(qt)~~ High Thermal Efficient Self Service Cogeneration.
- 9 ~~(u)~~ Other.

10 Each utility's filing must describe how the technical potential study was used to develop the  
11 goals filed pursuant to subsection (3) below, including identification of measures that were  
12 analyzed but excluded from consideration ~~from the technical potential study and any~~  
13 ~~subsequent economic and achievable potential studies.~~ The Commission on its own motion or  
14 petition by a substantially affected person or a utility may initiate a proceeding to review and,  
15 if appropriate, modify the goals. All modifications of the approved goals, plans and programs  
16 shall only be on a prospective basis.

17 (3) Pursuant to the schedule in an order establishing procedure in the proceeding to  
18 establish demand-side management goals, each utility must file its proposed demand-side  
19 management goals. In a proceeding to establish or modify goals, each utility shall propose  
20 numerical goals for the ten year period and provide ten year projections, based upon the  
21 utility's most recent planning process, of the total, cost-effective, winter and summer peak  
22 demand (KW) and annual energy (KWH) savings reasonably achievable in the residential and  
23 commercial/industrial classes through demand-side management. Each utility must also file  
24 demand-side management goals developed under two scenarios: ~~one scenario that includes~~  
25 ~~potential demand-side management programs that pass the Participant and Rate Impact~~

1 ~~Measure Tests, and~~ one scenario that includes potential demand-side management programs  
2 that pass the Participant and Total Resource Cost Tests, and one scenario that includes  
3 potential demand-side management programs that pass the Participant and the Utility Cost  
4 Tests, as these terms are used in Rule 25-17.008, F.A.C., with the Utility Cost Test determined  
5 using the Rate Impact Measure test, but not including lost revenues from reduced sales as a  
6 cost. Each utility must provide a transparent estimate of quantified effects for each goal  
7 scenario it submits, including total utility system benefits, average bill savings associated with  
8 decreased energy use, rate effects, and bill impacts. Each utility's goal projections must be  
9 based on ~~informed by~~ the utility's most recent planning process and ~~must shall~~ reflect the  
10 annual KW and KWH savings, over a ten-year period, from potential demand-side  
11 management programs with consideration of overlapping measures, rebound effects, free  
12 riders, interactions with building codes and appliance efficiency standards, and the utility's  
13 latest monitoring and evaluation of conservation programs and measures. In addition, for each  
14 potential demand-side management program identified in the proposed goals and in each  
15 scenario described above, each utility must provide overall estimated annual program costs  
16 over a ten-year period. Consideration of overlapping measures, rebound effects, free riders,  
17 interactions with building codes and appliance efficiency standards must be based on a  
18 transparent, evidence-based methodology that is consistent with industry standard practices,  
19 and must be accounted for within the utility's assumptions for naturally occurring energy  
20 efficiency adoption outside of utility-administered programs. Free ridership screening shall not  
21 be based on simple payback duration. Any program, or its measures, specifically designated  
22 for Low Income Customers shall be excepted from standard cost-effectiveness requirements  
23 and free ridership consideration. ~~Each utility's projections shall be based upon an assessment~~  
24 ~~of, at a minimum, the following market segments and major end-use categories:~~

25 Residential Market Segment:

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.



1 ~~(Existing Homes and New Construction should be separately evaluated)~~ Major End Use

2 ~~Category~~

3 ~~(a) Building Envelope Efficiencies.~~

4 ~~(b) Cooling and Heating Efficiencies.~~

5 ~~(c) Water Heating Systems.~~

6 ~~(d) Appliance Efficiencies.~~

7 ~~(e) Peakload Shaving.~~

8 ~~(f) Solar Energy and Renewable Energy Sources.~~

9 ~~(g) Renewable/Natural gas substitutes for electricity.~~

10 ~~(h) Other.~~

11 ~~Commercial/Industrial Market Segment:~~

12 ~~(Existing Facilities and New Construction should be separately evaluated)~~ Major End Use

13 ~~Category~~

14 ~~(i) Building Envelope Efficiencies.~~

15 ~~(j) HVAC Systems.~~

16 ~~(k) Lighting Efficiencies.~~

17 ~~(l) Appliance Efficiencies.~~

18 ~~(m) Power Equipment/Motor Efficiency.~~

19 ~~(n) Peak Load Shaving.~~

20 ~~(o) Water Heating.~~

21 ~~(p) Refrigeration Equipment.~~

22 ~~(q) Freezing Equipment.~~

23 ~~(r) Solar Energy and Renewable Energy Sources.~~

24 ~~(s) Renewable/Natural Gas substitutes for electricity.~~

25 ~~(t) High Thermal Efficient Self Service Cogeneration.~~

1           ~~(u) Other.~~

2           (4) Within 90 days of a final order establishing or modifying goals, each utility must

3 file its demand-side management plan that includes the programs to meet the approved goals,

4 along with program administrative standards that include a statement of the policies and

5 procedures detailing the operation and administration of each program. ~~Each utility must also~~

6 consider strategies to mitigate excessive free ridership during program planning. ~~or such~~

7 ~~longer period as approved by the Commission, each utility shall submit for Commission~~

8 ~~approval a demand-side management plan designed to meet the utility's approved goals. The~~

9 ~~following information must shall be filed ~~submitted~~ for each demand-side management~~

10 ~~program included in the utility's demand-side management plan for a ten-year projected~~

11 ~~horizon period:~~

12           (a) The program name;

13           (b) The program start date;

14           ~~(c) A statement of the policies and procedures detailing the operation and~~

15 ~~administration of the program;~~

16           ~~(c) (d)~~ The total number of customers<sub>2</sub> or other appropriate unit of measure<sub>2</sub> in each

17 ~~class of~~ customer segment (i.e. residential, low income, commercial, industrial, etc.) for each

18 calendar year in the planning horizon;

19           ~~(d) (e)~~ The total number of eligible customers<sub>2</sub> or other appropriate unit of measure<sub>2</sub> in

20 each ~~class of~~ customers-segment (i.e., residential, low income, commercial, industrial, etc.) for

21 each calendar year in the planning horizon;

22           ~~(e) (f)~~ An estimate of the annual number of customers<sub>2</sub> or other appropriate unit of

23 measure<sub>2</sub> in each class of customers projected to participate in the program for each calendar

24 year of the planning horizon, including a description of how the estimate was derived;

25           ~~(f) (g)~~ The cumulative penetration levels of the program by calendar year calculated as

1 the percentage of projected cumulative participating customers, or appropriate unit of  
2 measure, by year to the total customers eligible to participate in the program;

3 ~~(g)~~ (h) Estimates on an appropriate unit of measure basis of the per customer and  
4 program total annual KWH reduction, winter KW reduction, and summer KW reduction, both  
5 at the customer meter and the generation level, attributable to the program. A summary of all  
6 assumptions used in the estimates, and a list of measures within the program must ~~will~~ be  
7 included;

8 ~~(h)~~ (i) A methodology for measuring actual KW kilowatt and KWH kilowatt-hour  
9 savings achieved from each program, including a description of research design,  
10 instrumentation, use of control groups, and other details sufficient to ensure that results are  
11 valid;

12 ~~(i)~~ (j) An estimate of the cost-effectiveness of the program using the cost-effectiveness  
13 tests required pursuant this Rule and to Rule 25-17.008, F.A.C. ~~If the Commission finds that a~~  
14 ~~utility's conservation plan has not met or will not meet its goals, the Commission may require~~  
15 ~~the utility to modify its proposed programs or adopt additional programs and submit its plans~~  
16 ~~for approval.~~

17 (j) An estimate of the annual amount to be recovered through the energy conservation  
18 cost recovery clause for each calendar year in the planning horizon.

19 (5) The Commission may, on its own motion or on a petition by a substantially  
20 affected person or a utility, initiate a proceeding to review and, if appropriate, modify the  
21 goals. All modifications of the approved goals, plans, and programs will be on a prospective  
22 basis.

23 ~~(6)~~ (5) Each utility must ~~shall~~ submit an annual report no later than March 1 ~~of each~~  
24 ~~year~~ summarizing its demand-side management plan and the total actual achieved results for  
25 its approved demand-side management plan in the preceding calendar year. The report must

1 ~~shall contain, at a minimum,~~ a comparison of the achieved KW and KWH reductions with the  
2 established Residential and Commercial/Industrial goals, and the following information for  
3 each approved program:

4 (a) The name of the utility;

5 (b) The name of the program and program start date;

6 (c) The calendar year the report covers;

7 (d) The ~~total~~ number of customers, or other appropriate unit of measure, by customer  
8 class for each calendar year of the planning horizon;

9 (e) The ~~total~~ number of customers, or other appropriate unit of measure, eligible to  
10 participate in the program for each calendar year of the planning horizon;

11 (f) The ~~total~~ number of customers, or other appropriate unit of measure, projected to  
12 participate in the program for each calendar year of the planning horizon;

13 (g) The potential cumulative penetration level of the program to date calculated as the  
14 percentage of projected participating customers to date to the total eligible customers in the  
15 class;

16 (h) The actual number of program participants and the current cumulative number of  
17 program participants;

18 (i) The actual cumulative penetration level of the program calculated as the percentage  
19 of actual cumulative participating customers to the number of eligible customers in the class;

20 (j) A comparison of the actual cumulative penetration level of the program to the  
21 potential cumulative penetration level of the program;

22 (k) A justification for any variances greater ~~larger~~ than 15% from ~~for~~ the annual goals  
23 established by the Commission;

24 (l) Using on-going measurement and evaluation results the annual KWH reduction, the  
25 winter KW reduction, and the summer KW reduction, both at the meter and the generation

1 level, per installation and program total, based on the utility's approved  
2 measurement/evaluation plan;

3 (m) The per installation cost and the total program cost of the utility;

4 (n) The net benefits for measures installed during the reporting period, annualized over  
5 the life of the program, as calculated by the following formula:

6 
$$\text{annual benefits} = B_{npv} \times d/[1 - (1+d)^{-n}]$$

7 where

8  $B_{npv}$  = cumulative present value of the net benefits over the life of the program for measures  
9 installed during the reporting period.

10  $D$  = discount rate (utility's after tax cost of capital).

11  $N$  = life of the program.

12 *Rulemaking Authority 350.127(2), 366.05(1), ~~366.82(1)-(4)~~ FS. Law Implemented 366.82(1)-*  
13 *~~(4)~~ FS. History—New 4-30-93, Amended \_\_\_\_\_*

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## **Attachment 2**

Rule 25-17.0021, F.A.C. Proposed Revisions in Docket No. 20200181-EU by the  
League of United Latin American Citizens of Florida and the  
Environmental Confederation of Southwest Florida

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4 ~~F.S., to reduce the growth rates of weather sensitive peak demand, to reduce and control the~~  
5 ~~growth rates of electric consumption, and to increase the conservation of expensive resources,~~  
6 ~~such as petroleum fuels.~~ The Commission will set annual Overall Residential kilowatt (KW)  
7 and kilowatt-hour (KWH) goals and annual overall Commercial/Industrial KW and KWH  
8 ~~goals shall be set by the Commission for each year over a ten-year period. The goals, will shall~~  
9 ~~be based on:~~

10           (a) An assessment of the technical potential of available measures; and

11           (b) ~~a~~An estimate of the total cost-effective KW kilowatt and KWH kilowatt-hour  
12 savings reasonably achievable through demand-side management programs in each utility's  
13 service area over a ten-year period. ~~The Commission may give consideration to balancing the~~  
14 level of cost-effective demand side management goals with their potential effects on customer  
15 rates and bills; and

16           (c) Discrete KW and KWH savings for Low Income Customers provided through  
17 income qualified demand-side management programs in each utility's service area over a ten-  
18 year period. These savings goals shall be proportionate to the population of Low Income  
19 customers within the utility's service area. For the purposes of this Rule, the term "Low  
20 Income Customer" means households earning at or below two hundred percent (200%) of the  
21 Federal Poverty Level, as determined annually by the United States Department of Health and  
22 Human Services. "Income qualified" demand-side management programs are those programs  
23 which are designed to serve Low Income Customers.

24           (d) In addition to the numeric goals above, the Commission may give consideration to  
25 other goals.

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4 potential study must be used to develop the proposed demand-side management goals, and it  
5 must assess the full technical potential of all available demand-side conservation and  
6 efficiency measures, including demand-side renewable energy systems, associated with each  
7 of the following market segments and major end-use categories.

8 Residential Market Segment:

9 (Existing Homes and New Construction should be separately evaluated) Major End-Use

10 Category

- 11           (a) Building Envelope Efficiencies.  
12           (b) Cooling and Heating Efficiencies.  
13           (c) Water Heating Systems.  
14           (d) Lighting Efficiencies.  
15           (e) Appliance Efficiencies.  
16           (f) Peak Load Shaving.  
17           (g) Solar Energy and Renewable Energy Sources.  
18           (h) Efficient Electricity Substitutes for Natural Gas.  
19           (i) Other.

20 Commercial/Industrial Market Segment:

21 (Existing Facilities and New Construction should be separately evaluated) Major End-Use

22 Category

- 23           ~~(h)~~ Building Envelope Efficiencies.  
24           ~~(k)~~ Cooling and Heating Efficiencies.  
25           ~~(l)~~ Lighting Efficiencies.



- 1 ~~(km)~~ Appliance Efficiencies.
- 2 ~~(ln)~~ Power Equipment/Motor Efficiency.
- 3 ~~(mo)~~ Peak Load Shaving.
- 4 ~~(np)~~ Water Heating Systems.
- 5 ~~(oq)~~ Refrigeration/Freezing Equipment.
- 6 ~~(pr)~~ Solar Energy and Renewable Energy Sources.
- 7 ~~(s)~~ Efficient Electricity Substitutes for Natural Gas.
- 8 ~~(qt)~~ High Thermal Efficient Self Service Cogeneration.
- 9 ~~(u)~~ Other.

10 Each utility's filing must describe how the technical potential study was used to develop the  
11 goals filed pursuant to subsection (3) below, including identification of measures that were  
12 analyzed but excluded from consideration ~~from the technical potential study and any~~  
13 ~~subsequent economic and achievable potential studies.~~ The Commission on its own motion or  
14 petition by a substantially affected person or a utility may initiate a proceeding to review and,  
15 if appropriate, modify the goals. All modifications of the approved goals, plans and programs  
16 shall only be on a prospective basis.

17 (3) Pursuant to the schedule in an order establishing procedure in the proceeding to  
18 establish demand-side management goals, each utility must file its proposed demand-side  
19 management goals. In a proceeding to establish or modify goals, each utility shall propose  
20 numerical goals for the ten year period and provide ten year projections, based upon the  
21 utility's most recent planning process, of the total, cost-effective, winter and summer peak  
22 demand (KW) and annual energy (KWH) savings reasonably achievable in the residential and  
23 commercial/industrial classes through demand-side management. Each utility must also file  
24 demand-side management goals developed under ~~two~~ ~~three~~ scenarios: one scenario that  
25 includes potential demand-side management programs that pass the Participant and Rate

1 Impact Measure Tests, ~~and~~ one scenario that includes potential demand-side management  
2 programs that pass the Participant and Total Resource Cost Tests, ~~and one scenario that~~  
3 ~~includes potential demand-side management programs that pass the Participant and the Utility~~  
4 ~~Cost Tests, as these terms are used in Rule 25-17.008, F.A.C., with the Utility Cost Test~~  
5 ~~determined using the Rate Impact Measure test, but not including lost revenues from reduced~~  
6 ~~sales as a cost. Each utility must provide a transparent estimate of quantified effects for each~~  
7 ~~goal scenario it submits, including total utility system benefits, average bill savings associated~~  
8 ~~with decreased energy use, rate effects, and bill impacts.~~ Each utility's goal projections must  
9 ~~be based on informed by~~ the utility's most recent planning process and must shall reflect the  
10 annual KW and KWH savings, over a ten-year period, from potential demand-side  
11 management programs with consideration of overlapping measures, rebound effects, free  
12 riders, interactions with building codes and appliance efficiency standards, and the utility's  
13 latest monitoring and evaluation of conservation programs and measures. In addition, for each  
14 potential demand-side management program identified in the proposed goals and in each  
15 scenario described above, each utility must provide overall estimated annual program costs  
16 over a ten-year period. ~~Consideration of overlapping measures, rebound effects, free riders,~~  
17 interactions with building codes and appliance efficiency standards must be based on a  
18 transparent, evidence-based methodology that is consistent with industry standard practices,  
19 and must be accounted for within the utility's assumptions for naturally occurring energy  
20 efficiency adoption outside of utility-administered programs. Free ridership screening shall not  
21 be based on simple payback duration. Any program, or its measures, specifically designated  
22 for Low Income Customers shall be excepted from standard cost-effectiveness requirements  
23 and free ridership consideration. Each utility's ~~projections shall be based upon an assessment~~  
24 ~~of, at a minimum, the following market segments and major end-use categories:~~

25 Residential Market Segment:

1 ~~(Existing Homes and New Construction should be separately evaluated)~~ Major End Use

2 ~~Category~~

3 ~~(a) Building Envelope Efficiencies.~~

4 ~~(b) Cooling and Heating Efficiencies.~~

5 ~~(c) Water Heating Systems.~~

6 ~~(d) Appliance Efficiencies.~~

7 ~~(e) Peakload Shaving.~~

8 ~~(f) Solar Energy and Renewable Energy Sources.~~

9 ~~(g) Renewable/Natural gas substitutes for electricity.~~

10 ~~(h) Other.~~

11 ~~Commercial/Industrial Market Segment:~~

12 ~~(Existing Facilities and New Construction should be separately evaluated)~~ Major End Use

13 ~~Category~~

14 ~~(i) Building Envelope Efficiencies.~~

15 ~~(j) HVAC Systems.~~

16 ~~(k) Lighting Efficiencies.~~

17 ~~(l) Appliance Efficiencies.~~

18 ~~(m) Power Equipment/Motor Efficiency.~~

19 ~~(n) Peak Load Shaving.~~

20 ~~(o) Water Heating.~~

21 ~~(p) Refrigeration Equipment.~~

22 ~~(q) Freezing Equipment.~~

23 ~~(r) Solar Energy and Renewable Energy Sources.~~

24 ~~(s) Renewable/Natural Gas substitutes for electricity.~~

25 ~~(t) High Thermal Efficient Self Service Cogeneration.~~

1           ~~(u) Other.~~

2           (4) Within 90 days of a final order establishing or modifying goals, each utility must  
3 file its demand-side management plan that includes the programs to meet the approved goals,  
4 along with program administrative standards that include a statement of the policies and  
5 procedures detailing the operation and administration of each program. ~~Each utility must also~~  
6 ~~consider strategies to mitigate excessive free ridership during program planning.~~ or such  
7 longer period as approved by the Commission, each utility shall submit for Commission  
8 approval a demand-side management plan designed to meet the utility's approved goals. The  
9 following information ~~must~~ shall be filed ~~submitted~~ for each demand-side management  
10 program included in the utility's demand-side management plan for a ten-year projected  
11 horizon period:

12           (a) The program name;

13           (b) The program start date;

14           ~~(c) A statement of the policies and procedures detailing the operation and~~  
15 ~~administration of the program;~~

16           ~~(c) (d)~~ The total number of customers<sub>2</sub> or other appropriate unit of measure<sub>2</sub> in each  
17 ~~class of~~ customer segment (i.e. residential, low income, commercial, industrial, etc.) for each  
18 calendar year in the planning horizon;

19           ~~(d) (e)~~ The total number of eligible customers<sub>2</sub> or other appropriate unit of measure<sub>2</sub> in  
20 each ~~class of~~ customers-segment (i.e., residential, low income, commercial, industrial, etc.) for  
21 each calendar year in the planning horizon;

22           ~~(e) (f)~~ An estimate of the annual number of customers<sub>2</sub> or other appropriate unit of  
23 measure<sub>2</sub> in each class of customers projected to participate in the program for each calendar  
24 year of the planning horizon, including a description of how the estimate was derived;

25           ~~(f) (g)~~ The cumulative penetration levels of the program by calendar year calculated as

1 the percentage of projected cumulative participating customers, or appropriate unit of  
2 measure, by year to the total customers eligible to participate in the program;

3 ~~(g)~~ (h) Estimates on an appropriate unit of measure basis of the per customer and  
4 program total annual KWH reduction, winter KW reduction, and summer KW reduction, both  
5 at the customer meter and the generation level, attributable to the program. A summary of all  
6 assumptions used in the estimates, and a list of measures within the program must ~~will~~ be  
7 included;

8 ~~(h)~~ (i) A methodology for measuring actual KW kilowatt and KWH kilowatt-hour  
9 savings achieved from each program, including a description of research design,  
10 instrumentation, use of control groups, and other details sufficient to ensure that results are  
11 valid;

12 ~~(i)~~ (j) An estimate of the cost-effectiveness of the program using the cost-effectiveness  
13 tests required pursuant this Rule and to Rule 25-17.008, F.A.C. ~~If the Commission finds that a~~  
14 ~~utility's conservation plan has not met or will not meet its goals, the Commission may require~~  
15 ~~the utility to modify its proposed programs or adopt additional programs and submit its plans~~  
16 ~~for approval.~~

17 (j) An estimate of the annual amount to be recovered through the energy conservation  
18 cost recovery clause for each calendar year in the planning horizon.

19 (5) The Commission may, on its own motion or on a petition by a substantially  
20 affected person or a utility, initiate a proceeding to review and, if appropriate, modify the  
21 goals. All modifications of the approved goals, plans, and programs will be on a prospective  
22 basis.

23 ~~(6)~~ (5) Each utility must ~~shall~~ submit an annual report no later than March 1 ~~of each~~  
24 ~~year~~ summarizing its demand-side management plan and the total actual achieved results for  
25 its approved demand-side management plan in the preceding calendar year. The report must

1 ~~shall contain, at a minimum,~~ a comparison of the achieved KW and KWH reductions with the  
2 established Residential and Commercial/Industrial goals, and the following information for  
3 each approved program:

4 (a) The name of the utility;

5 (b) The name of the program and program start date;

6 (c) The calendar year the report covers;

7 (d) The ~~total~~ number of customers, or other appropriate unit of measure, by customer  
8 class for each calendar year of the planning horizon;

9 (e) The ~~total~~ number of customers, or other appropriate unit of measure, eligible to  
10 participate in the program for each calendar year of the planning horizon;

11 (f) The ~~total~~ number of customers, or other appropriate unit of measure, projected to  
12 participate in the program for each calendar year of the planning horizon;

13 (g) The potential cumulative penetration level of the program to date calculated as the  
14 percentage of projected participating customers to date to the total eligible customers in the  
15 class;

16 (h) The actual number of program participants and the current cumulative number of  
17 program participants;

18 (i) The actual cumulative penetration level of the program calculated as the percentage  
19 of actual cumulative participating customers to the number of eligible customers in the class;

20 (j) A comparison of the actual cumulative penetration level of the program to the  
21 potential cumulative penetration level of the program;

22 (k) A justification for any variances greater ~~larger~~ than 15% from ~~for~~ the annual goals  
23 established by the Commission;

24 (l) Using on-going measurement and evaluation results the annual KWH reduction, the  
25 winter KW reduction, and the summer KW reduction, both at the meter and the generation

1 level, per installation and program total, based on the utility's approved  
2 measurement/evaluation plan;

3 (m) The per installation cost and the total program cost of the utility;

4 (n) The net benefits for measures installed during the reporting period, annualized over  
5 the life of the program, as calculated by the following formula:

6 
$$\text{annual benefits} = B_{npv} \times d/[1 - (1+d)^{-n}]$$

7 where

8  $B_{npv}$  = cumulative present value of the net benefits over the life of the program for measures  
9 installed during the reporting period.

10  $D$  = discount rate (utility's after tax cost of capital).

11  $N$  = life of the program.

12 *Rulemaking Authority 350.127(2), 366.05(1), ~~366.82(1)-(4)~~ FS. Law Implemented 366.82(1)-*  
13 *~~(4)~~ FS. History—New 4-30-93, Amended \_\_\_\_\_*

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# **Attachment 3**

Rule 25-17.0021, F.A.C. Proposed Revisions in Docket No. 20200181-EU by the  
League of United Latin American Citizens of Florida and the  
Environmental Confederation of Southwest Florida



1           **25-17.0021 Goals for Electric Utilities.**

2           (1) The Commission ~~will shall~~ initiate a proceeding at least once every five years to  
3 establish numerical goals for each affected electric utility, as defined by Section 366.82(1)(a),  
4 F.S., to reduce the growth rates of weather-sensitive peak demand, to reduce and control the  
5 growth rates of electric consumption, and to increase the conservation of expensive resources,  
6 such as petroleum fuels. The Commission will set annual Overall Residential kilowatt (KW)  
7 and kilowatt-hour (KWH) goals and annual overall Commercial/Industrial KW and KWH  
8 goals shall be set by the Commission for each year over a ten-year period. The goals, will shall  
9 be based on:

10           (a) An assessment of the technical potential of available measures; and

11           (b) aAn estimate of the total cost-effective KW kilowatt and KWH kilowatt-hour  
12 savings reasonably achievable through demand-side management programs in each utility's  
13 service area over a ten-year period; and

14           (c) Discrete KW and KWH savings for Low Income Customers provided through  
15 income qualified demand-side management programs in each utility's service area over a ten-  
16 year period. These savings goals shall be proportionate to the population of Low Income  
17 customers within the utility's service area. For the purposes of this Rule, the term "Low  
18 Income Customer" means households earning at or below two hundred percent (200%) of the  
19 Federal Poverty Level, as determined annually by the United States Department of Health and  
20 Human Services. "Income qualified" demand-side management programs are those programs  
21 which are designed to serve Low Income Customers.

22           (2) Pursuant to the schedule in an order establishing procedure in the proceeding to  
23 establish demand-side management goals, each utility must file a technical potential study.  
24 The Commission shall set goals for each utility at least once every five years. The technical  
25 potential study must be used to develop the proposed demand-side management goals, and it

1 must assess the full technical potential of all available demand-side conservation and  
2 efficiency measures, including demand-side renewable energy systems, associated with each  
3 of the following market segments and major end-use categories.

4 Residential Market Segment:

5 (Existing Homes and New Construction should be separately evaluated) Major End-Use

6 Category

- 7 (a) Building Envelope Efficiencies.
- 8 (b) Cooling and Heating Efficiencies.
- 9 (c) Water Heating Systems.
- 10 (d) Lighting Efficiencies.
- 11 (e) Appliance Efficiencies.
- 12 (f) Peak Load Shaving.
- 13 (g) Solar Energy and Renewable Energy Sources.

14 Commercial/Industrial Market Segment:

15 (Existing Facilities and New Construction should be separately evaluated) Major End-Use

16 Category

- 17 (h) Building Envelope Efficiencies.
- 18 (i) Cooling and Heating Efficiencies.
- 19 (j) Lighting Efficiencies.
- 20 (k) Appliance Efficiencies.
- 21 (l) Power Equipment/Motor Efficiency.
- 22 (m) Peak Load Shaving.
- 23 (n) Water Heating Systems.
- 24 (o) Refrigeration/Freezing Equipment.
- 25 (p) Solar Energy and Renewable Energy Sources.

1           (qt) High Thermal Efficient Self Service Cogeneration.  
2   Each utility's filing must describe how the technical potential study was used to develop the  
3   goals filed pursuant to subsection (3) below, including identification of measures that were  
4   analyzed but excluded from consideration. ~~The Commission on its own motion or petition by a~~  
5   substantially affected person or a utility may initiate a proceeding to review and, if  
6   appropriate, modify the goals. All modifications of the approved goals, plans and programs  
7   shall only be on a prospective basis.

8           (3) Pursuant to the schedule in an order establishing procedure in the proceeding to  
9   establish demand-side management goals, each utility must file its proposed demand-side  
10   management goals. In a proceeding to establish or modify goals, each utility shall propose  
11   numerical goals for the ten year period and provide ten year projections, based upon the  
12   utility's most recent planning process, of the total, cost effective, winter and summer peak  
13   demand (KW) and annual energy (KWH) savings reasonably achievable in the residential and  
14   commercial/industrial classes through demand-side management. Each utility must also file  
15   demand-side management goals developed under two scenarios: one scenario that includes  
16   potential demand-side management programs that pass the Participant and Rate Impact  
17   Measure Tests, and one scenario that includes potential demand-side management programs  
18   that pass the Participant and Total Resource Cost Tests, as these terms are used in Rule 25-  
19   17.008, F.A.C. Each utility's goal projections must be based on the utility's most recent  
20   planning process and must shall reflect the annual KW and KWH savings, over a ten-year  
21   period, from potential demand-side management programs with consideration of overlapping  
22   measures, rebound effects, free riders, interactions with building codes and appliance  
23   efficiency standards, and the utility's latest monitoring and evaluation of conservation  
24   programs and measures. In addition, for each potential demand-side management program  
25   identified in the proposed goals and in each scenario described above, each utility must provide

1 overall estimated annual program costs over a ten-year period. ~~Each utility's projections shall~~  
2 ~~be based upon an assessment of, at a minimum, the following market segments and major end-~~  
3 ~~use categories.~~

4 ~~Residential Market Segment:~~

5 ~~(Existing Homes and New Construction should be separately evaluated) Major End Use~~

6 ~~Category~~

7 ~~(a) Building Envelope Efficiencies.~~

8 ~~(b) Cooling and Heating Efficiencies.~~

9 ~~(c) Water Heating Systems.~~

10 ~~(d) Appliance Efficiencies.~~

11 ~~(e) Peakload Shaving.~~

12 ~~(f) Solar Energy and Renewable Energy Sources.~~

13 ~~(g) Renewable/Natural gas substitutes for electricity.~~

14 ~~(h) Other.~~

15 ~~Commercial/Industrial Market Segment:~~

16 ~~(Existing Facilities and New Construction should be separately evaluated) Major End Use~~

17 ~~Category~~

18 ~~(i) Building Envelope Efficiencies.~~

19 ~~(j) HVAC Systems.~~

20 ~~(k) Lighting Efficiencies.~~

21 ~~(l) Appliance Efficiencies.~~

22 ~~(m) Power Equipment/Motor Efficiency.~~

23 ~~(n) Peak Load Shaving.~~

24 ~~(o) Water Heating.~~

25 ~~(p) Refrigeration Equipment.~~

1           ~~(q) Freezing Equipment.~~

2           ~~(r) Solar Energy and Renewable Energy Sources.~~

3           ~~(s) Renewable/Natural Gas substitutes for electricity.~~

4           ~~(t) High Thermal Efficient Self Service Cogeneration.~~

5           ~~(u) Other.~~

6           (4) Within 90 days of a final order establishing or modifying goals, each utility must  
 7 file its demand-side management plan that includes the programs to meet the approved goals,  
 8 along with program administrative standards that include a statement of the policies and  
 9 procedures detailing the operation and administration of each program. ~~or such longer period~~  
 10 ~~as approved by the Commission, each utility shall submit for Commission approval a demand~~  
 11 ~~side management plan designed to meet the utility's approved goals.~~ The following  
 12 information ~~must~~ shall be filed submitted for each demand-side management program  
 13 included in the utility's demand-side management plan for a ten-year projected horizon  
 14 period:

15           (a) The program name;

16           (b) The program start date;

17           ~~(c) A statement of the policies and procedures detailing the operation and~~  
 18 ~~administration of the program;~~

19           (c) ~~(d)~~ The total number of customers<sub>2</sub>, or other appropriate unit of measure<sub>2</sub>, in each  
 20 ~~class of~~ customer segment (i.e. residential, low income, commercial, industrial, etc.) for each  
 21 calendar year in the planning horizon;

22           (d) ~~(e)~~ The total number of eligible customers<sub>2</sub>, or other appropriate unit of measure<sub>2</sub>, in  
 23 each ~~class of~~ customers-segment (i.e., residential, low income, commercial, industrial, etc.) for  
 24 each calendar year in the planning horizon;

25           (e) ~~(f)~~ An estimate of the annual number of customers<sub>2</sub>, or other appropriate unit of

1 measure, in each class of customers projected to participate in the program for each calendar  
2 year of the planning horizon, including a description of how the estimate was derived;

3 ~~(f) (g)~~ The cumulative penetration levels of the program by calendar year calculated as  
4 the percentage of projected cumulative participating customers, or appropriate unit of  
5 measure, by year to the total customers eligible to participate in the program;

6 ~~(g) (h)~~ Estimates on an appropriate unit of measure basis of the per customer and  
7 program total annual KWH reduction, winter KW reduction, and summer KW reduction, both  
8 at the customer meter and the generation level, attributable to the program. A summary of all  
9 assumptions used in the estimates, and a list of measures within the program must ~~will~~ be  
10 included;

11 ~~(h) (i)~~ A methodology for measuring actual KW kilowatt and KWH kilowatt-hour  
12 savings achieved from each program, including a description of research design,  
13 instrumentation, use of control groups, and other details sufficient to ensure that results are  
14 valid;

15 ~~(i) (j)~~ An estimate of the cost-effectiveness of the program using the cost-effectiveness  
16 tests required pursuant to Rule 25-17.008, F.A.C. ~~If the Commission finds that a utility's~~  
17 ~~conservation plan has not met or will not meet its goals, the Commission may require the~~  
18 ~~utility to modify its proposed programs or adopt additional programs and submit its plans for~~  
19 ~~approval.~~

20 ~~(j)~~ An estimate of the annual amount to be recovered through the energy conservation  
21 cost recovery clause for each calendar year in the planning horizon.

22 ~~(5)~~ The Commission may, on its own motion or on a petition by a substantially  
23 affected person or a utility, initiate a proceeding to review and, if appropriate, modify the  
24 goals. All modifications of the approved goals, plans, and programs will be on a prospective  
25 basis.

1           (6) ~~(5)~~ Each utility must ~~shall~~ submit an annual report no later than March 1 ~~of each~~  
2 ~~year~~ summarizing its demand-side management plan and the total actual achieved results for  
3 its approved demand-side management plan in the preceding calendar year. The report must  
4 ~~shall~~ ~~contain, at a minimum,~~ a comparison of the achieved KW and KWH reductions with the  
5 established Residential and Commercial/Industrial goals, and the following information for  
6 each approved program:

7           (a) The name of the utility;

8           (b) The name of the program and program start date;

9           (c) The calendar year the report covers;

10           (d) The ~~The~~ total number of customers, or other appropriate unit of measure, by customer  
11 class for each calendar year of the planning horizon;

12           (e) The ~~The~~ total number of customers, or other appropriate unit of measure, eligible to  
13 participate in the program for each calendar year of the planning horizon;

14           (f) The ~~The~~ total number of customers, or other appropriate unit of measure, projected to  
15 participate in the program for each calendar year of the planning horizon;

16           (g) The potential cumulative penetration level of the program to date calculated as the  
17 percentage of projected participating customers to date to the total eligible customers in the  
18 class;

19           (h) The actual number of program participants and the current cumulative number of  
20 program participants;

21           (i) The actual cumulative penetration level of the program calculated as the percentage  
22 of actual cumulative participating customers to the number of eligible customers in the class;

23           (j) A comparison of the actual cumulative penetration level of the program to the  
24 potential cumulative penetration level of the program;

25           (k) A justification for any variances greater ~~larger~~ than 15% from ~~for~~ the annual goals

1 established by the Commission;

2 (l) Using on-going measurement and evaluation results the annual KWH reduction, the  
3 winter KW reduction, and the summer KW reduction, both at the meter and the generation  
4 level, per installation and program total, based on the utility's approved  
5 measurement/evaluation plan;

6 (m) The per installation cost and the total program cost of the utility;

7 (n) The net benefits for measures installed during the reporting period, annualized over  
8 the life of the program, as calculated by the following formula:

9 
$$\text{annual benefits} = B_{npv} \times d/[1 - (1+d)^{-n}]$$

10 where

11  $B_{npv}$  = cumulative present value of the net benefits over the life of the program for measures  
12 installed during the reporting period.

13  $D$  = discount rate (utility's after tax cost of capital).

14  $N$  = life of the program.

15 *Rulemaking Authority 350.127(2), 366.05(1), ~~366.82(1)~~ ~~(4)~~ FS. Law Implemented ~~366.82(1)~~*  
16 *~~(4)~~ FS. History—New 4-30-93, Amended \_\_\_\_\_*

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# **Attachment 4**

Rule 25-17.0021, F.A.C. Proposed Revisions in Docket No. 20200181-EU by the  
League of United Latin American Citizens of Florida and the  
Environmental Confederation of Southwest Florida

1           **25-17.0021 Goals for Electric Utilities.**

2           (1) The Commission will ~~shall~~ initiate a proceeding at least once every five years to  
3 establish numerical goals for each affected electric utility, as defined by Section 366.82(1)(a),  
4 F.S., to reduce the growth rates of weather-sensitive peak demand, to reduce and control the  
5 growth rates of electric consumption, and to increase the conservation of expensive resources,  
6 such as petroleum fuels. The Commission will set annual Overall Residential kilowatt (KW)  
7 and kilowatt-hour (KWH) goals and annual overall Commercial/Industrial KW and KWH  
8 goals shall be set by the Commission for each year over a ten-year period. The goals, will shall  
9 be based on:

10           (a) An assessment of the technical potential of available measures; and

11           (b) aAn estimate of the total cost-effective KW kilowatt and KWH kilowatt-hour  
12 savings reasonably achievable through demand-side management programs in each utility's  
13 service area over a ten-year period.

14           (2) Pursuant to the schedule in an order establishing procedure in the proceeding to  
15 establish demand-side management goals, each utility must file a technical potential study.  
16 The Commission shall set goals for each utility at least once every five years. The technical  
17 potential study must be used to develop the proposed demand-side management goals, and it  
18 must assess the full technical potential of all available demand-side conservation and  
19 efficiency measures, including demand-side renewable energy systems, associated with each  
20 of the following market segments and major end-use categories.

21 Residential Market Segment:

22 (Existing Homes and New Construction should be separately evaluated) Major End-Use  
23 Category

24           (a) Building Envelope Efficiencies.

25           (b) Cooling and Heating Efficiencies.

1           (c) Water Heating Systems.

2           (d) Lighting Efficiencies.

3           (e) Appliance Efficiencies.

4           (f) Peak Load Shaving.

5           (g) Solar Energy and Renewable Energy Sources.

6           Commercial/Industrial Market Segment:

7           (Existing Facilities and New Construction should be separately evaluated) Major End-Use

8           Category

9           (h) Building Envelope Efficiencies.

10          (i) Cooling and Heating Efficiencies.

11          (j) Lighting Efficiencies.

12          (k) Appliance Efficiencies.

13          (l) Power Equipment/Motor Efficiency.

14          (m) Peak Load Shaving.

15          (n) Water Heating Systems.

16          (o) Refrigeration/Freezing Equipment.

17          (p) Solar Energy and Renewable Energy Sources.

18          (qt) High Thermal Efficient Self Service Cogeneration.

19          Each utility's filing must describe how the technical potential study was used to develop the  
20          goals filed pursuant to subsection (3) below, including identification of measures that were  
21          analyzed but excluded from consideration. ~~The Commission on its own motion or petition by a~~  
22          ~~substantially affected person or a utility may initiate a proceeding to review and, if~~  
23          ~~appropriate, modify the goals. All modifications of the approved goals, plans and programs~~  
24          ~~shall only be on a prospective basis.~~

25                 (3) Pursuant to the schedule in an order establishing procedure in the proceeding to

1 establish demand-side management goals, each utility must file its proposed demand-side  
2 management goals. In a proceeding to establish or modify goals, each utility shall propose  
3 numerical goals for the ten year period and provide ten year projections, based upon the  
4 utility's most recent planning process, of the total, cost-effective, winter and summer peak  
5 demand (KW) and annual energy (KWH) savings reasonably achievable in the residential and  
6 commercial/industrial classes through demand-side management. Each utility must also file  
7 demand-side management goals developed under two scenarios: one scenario that includes  
8 potential demand-side management programs that pass the Participant and Rate Impact  
9 Measure Tests, and one scenario that includes potential demand-side management programs  
10 that pass the Participant and Total Resource Cost Tests, as these terms are used in Rule 25-  
11 17.008, F.A.C. Each utility's goal projections must be based on the utility's most recent  
12 planning process and must shall reflect the annual KW and KWH savings, over a ten-year  
13 period, from potential demand-side management programs with consideration of overlapping  
14 measures, rebound effects, free riders, interactions with building codes and appliance  
15 efficiency standards, and the utility's latest monitoring and evaluation of conservation  
16 programs and measures. In addition, for each potential demand-side management program  
17 identified in the proposed goals and in each scenario described above, each utility must provide  
18 overall estimated annual program costs over a ten-year period. Any program, or its measures,  
19 specifically designated for Low Income Customers shall be excepted from standard cost-  
20 effectiveness requirements and free ridership consideration. Each utility's projections shall be  
21 based upon an assessment of, at a minimum, the following market segments and major end-  
22 use categories:

23 Residential Market Segment:

24 (Existing Homes and New Construction should be separately evaluated) Major End Use

25 Category

- 1           ~~(a) Building Envelope Efficiencies.~~
- 2           ~~(b) Cooling and Heating Efficiencies.~~
- 3           ~~(c) Water Heating Systems.~~
- 4           ~~(d) Appliance Efficiencies.~~
- 5           ~~(e) Peakload Shaving.~~
- 6           ~~(f) Solar Energy and Renewable Energy Sources.~~
- 7           ~~(g) Renewable/Natural gas substitutes for electricity.~~
- 8           ~~(h) Other.~~
- 9   Commercial/Industrial Market Segment:
- 10 ~~(Existing Facilities and New Construction should be separately evaluated) Major End Use~~
- 11 ~~Category~~
- 12           ~~(i) Building Envelope Efficiencies.~~
- 13           ~~(j) HVAC Systems.~~
- 14           ~~(k) Lighting Efficiencies.~~
- 15           ~~(l) Appliance Efficiencies.~~
- 16           ~~(m) Power Equipment/Motor Efficiency.~~
- 17           ~~(n) Peak Load Shaving.~~
- 18           ~~(o) Water Heating.~~
- 19           ~~(p) Refrigeration Equipment.~~
- 20           ~~(q) Freezing Equipment.~~
- 21           ~~(r) Solar Energy and Renewable Energy Sources.~~
- 22           ~~(s) Renewable/Natural Gas substitutes for electricity.~~
- 23           ~~(t) High Thermal Efficient Self Service Cogeneration.~~
- 24           ~~(u) Other.~~
- 25           (4) Within 90 days of a final order establishing or modifying goals, each utility must

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 file its demand-side management plan that includes the programs to meet the approved goals,  
2 along with program administrative standards that include a statement of the policies and  
3 procedures detailing the operation and administration of each program. ~~or such longer period~~  
4 ~~as approved by the Commission, each utility shall submit for Commission approval a demand~~  
5 ~~side management plan designed to meet the utility's approved goals.~~ The following  
6 information ~~must~~ shall be filed ~~submitted~~ for each demand-side management program  
7 included in the utility's demand-side management plan for a ten-year projected horizon  
8 period:

9 (a) The program name;

10 (b) The program start date;

11 ~~(c) A statement of the policies and procedures detailing the operation and~~  
12 ~~administration of the program;~~

13 ~~(c)~~ (d) The total number of customers, or other appropriate unit of measure, in each  
14 ~~class of~~ customer segment (i.e. residential, low income, commercial, industrial, etc.) for each  
15 calendar year in the planning horizon;

16 ~~(d)~~ (e) The total number of eligible customers, or other appropriate unit of measure, in  
17 each ~~class of~~ customers segment (i.e., residential, low income, commercial, industrial, etc.) for  
18 each calendar year in the planning horizon;

19 ~~(e)~~ (f) An estimate of the annual number of customers, or other appropriate unit of  
20 measure, in each class of customers projected to participate in the program for each calendar  
21 year of the planning horizon, including a description of how the estimate was derived;

22 ~~(f)~~ (g) The cumulative penetration levels of the program by calendar year calculated as  
23 the percentage of projected cumulative participating customers, or appropriate unit of  
24 measure, by year to the total customers eligible to participate in the program;

25 ~~(g)~~ (h) Estimates on an appropriate unit of measure basis of the per customer and

1 program total annual KWH reduction, winter KW reduction, and summer KW reduction, both  
2 at the customer meter and the generation level, attributable to the program. A summary of all  
3 assumptions used in the estimates, and a list of measures within the program must ~~will~~ be  
4 included;

5 (h) (†) A methodology for measuring actual KW kilowatt and KWH kilowatt-hour  
6 savings achieved from each program, including a description of research design,  
7 instrumentation, use of control groups, and other details sufficient to ensure that results are  
8 valid;

9 (i) (‡) An estimate of the cost-effectiveness of the program using the cost-effectiveness  
10 tests required pursuant to Rule 25-17.008, F.A.C. ~~If the Commission finds that a utility's~~  
11 ~~conservation plan has not met or will not meet its goals, the Commission may require the~~  
12 ~~utility to modify its proposed programs or adopt additional programs and submit its plans for~~  
13 ~~approval.~~

14 (j) An estimate of the annual amount to be recovered through the energy conservation  
15 cost recovery clause for each calendar year in the planning horizon.

16 (5) The Commission may, on its own motion or on a petition by a substantially  
17 affected person or a utility, initiate a proceeding to review and, if appropriate, modify the  
18 goals. All modifications of the approved goals, plans, and programs will be on a prospective  
19 basis.

20 (6) (5) Each utility must ~~shall~~ submit an annual report no later than March 1 ~~of each~~  
21 ~~year~~ summarizing its demand-side management plan and the total actual achieved results for  
22 its approved demand-side management plan in the preceding calendar year. The report must  
23 ~~shall~~ contain, ~~at a minimum,~~ a comparison of the achieved KW and KWH reductions with the  
24 established Residential and Commercial/Industrial goals, and the following information for  
25 each approved program:

- 1 (a) The name of the utility;
- 2 (b) The name of the program and program start date;
- 3 (c) The calendar year the report covers;
- 4 (d) The ~~The~~ total number of customers<sub>2</sub> or other appropriate unit of measure<sub>2</sub> by customer
- 5 class for each calendar year of the planning horizon;
- 6 (e) The ~~The~~ total number of customers<sub>2</sub> or other appropriate unit of measure<sub>2</sub> eligible to
- 7 participate in the program for each calendar year of the planning horizon;
- 8 (f) The ~~The~~ total number of customers<sub>2</sub> or other appropriate unit of measure<sub>2</sub> projected to
- 9 participate in the program for each calendar year of the planning horizon;
- 10 (g) The potential cumulative penetration level of the program to date calculated as the
- 11 percentage of projected participating customers to date to the total eligible customers in the
- 12 class;
- 13 (h) The actual number of program participants and the current cumulative number of
- 14 program participants;
- 15 (i) The actual cumulative penetration level of the program calculated as the percentage
- 16 of actual cumulative participating customers to the number of eligible customers in the class;
- 17 (j) A comparison of the actual cumulative penetration level of the program to the
- 18 potential cumulative penetration level of the program;
- 19 (k) A justification for any variances greater ~~larger~~ than 15% from ~~for~~ the annual goals
- 20 established by the Commission;
- 21 (l) Using on-going measurement and evaluation results the annual KWH reduction, the
- 22 winter KW reduction, and the summer KW reduction, both at the meter and the generation
- 23 level, per installation and program total, based on the utility's approved
- 24 measurement/evaluation plan;
- 25 (m) The per installation cost and the total program cost of the utility;



1 (n) The net benefits for measures installed during the reporting period, annualized over  
2 the life of the program, as calculated by the following formula:

3 
$$\text{annual benefits} = B_{\text{npv}} \times d/[1 - (1+d)^{-n}]$$

4 where

5  $B_{\text{npv}}$  = cumulative present value of the net benefits over the life of the program for measures  
6 installed during the reporting period.

7  $D$  = discount rate (utility's after tax cost of capital).

8  $N$  = life of the program.

9 *Rulemaking Authority 350.127(2), 366.05(1), ~~366.82(1)-(4)~~ FS. Law Implemented ~~366.82(1)-~~*  
10 *~~(4)~~ FS. History—New 4-30-93, Amended*

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# **Attachment 5**

Rule 25-17.0021, F.A.C. Proposed Revisions in Docket No. 20200181-EU by the  
League of United Latin American Citizens of Florida and the  
Environmental Confederation of Southwest Florida

1           **25-17.0021 Goals for Electric Utilities.**

2           (1) The Commission will ~~shall~~ initiate a proceeding at least once every five years to  
3 establish numerical goals for each affected electric utility, as defined by Section 366.82(1)(a),  
4 F.S., to reduce the growth rates of weather-sensitive peak demand, to reduce and control the  
5 growth rates of electric consumption, and to increase the conservation of expensive resources,  
6 such as petroleum fuels. The Commission will set annual Overall Residential kilowatt (KW)  
7 and kilowatt-hour (KWH) goals and annual overall Commercial/Industrial KW and KWH  
8 goals shall be set by the Commission for each year over a ten-year period. The goals, will shall  
9 be based on:

10           (a) An assessment of the technical potential of available measures; and

11           (b) aAn estimate of the total cost-effective KW kilowatt and KWH kilowatt-hour  
12 savings reasonably achievable through demand-side management programs in each utility's  
13 service area over a ten-year period.

14           (2) Pursuant to the schedule in an order establishing procedure in the proceeding to  
15 establish demand-side management goals, each utility must file a technical potential study.  
16 The Commission shall set goals for each utility at least once every five years. The technical  
17 potential study must be used to develop the proposed demand-side management goals, and it  
18 must assess the full technical potential of all available demand-side conservation and  
19 efficiency measures, including demand-side renewable energy systems, associated with each  
20 of the following market segments and major end-use categories.

21 Residential Market Segment:

22 (Existing Homes and New Construction should be separately evaluated) Major End-Use

23 Category

24           (a) Building Envelope Efficiencies.

25           (b) Cooling and Heating Efficiencies.

1           (c) Water Heating Systems.

2           (d) Lighting Efficiencies.

3           (e) Appliance Efficiencies.

4           (f) Peak Load Shaving.

5           (g) Solar Energy and Renewable Energy Sources.

6           Commercial/Industrial Market Segment:

7           (Existing Facilities and New Construction should be separately evaluated) Major End-Use

8           Category

9           (h) Building Envelope Efficiencies.

10          (i) Cooling and Heating Efficiencies.

11          (j) Lighting Efficiencies.

12          (k) Appliance Efficiencies.

13          (l) Power Equipment/Motor Efficiency.

14          (m) Peak Load Shaving.

15          (n) Water Heating Systems.

16          (o) Refrigeration/Freezing Equipment.

17          (p) Solar Energy and Renewable Energy Sources.

18          (qt) High Thermal Efficient Self Service Cogeneration.

19          Each utility's filing must describe how the technical potential study was used to develop the  
20          goals filed pursuant to subsection (3) below, including identification of measures that were  
21          analyzed but excluded from consideration. ~~The Commission on its own motion or petition by a~~  
22          ~~substantially affected person or a utility may initiate a proceeding to review and, if~~  
23          ~~appropriate, modify the goals. All modifications of the approved goals, plans and programs~~  
24          ~~shall only be on a prospective basis.~~

25                 (3) Pursuant to the schedule in an order establishing procedure in the proceeding to

1 establish demand-side management goals, each utility must file its proposed demand-side  
2 management goals. In a proceeding to establish or modify goals, each utility shall propose  
3 numerical goals for the ten year period and provide ten year projections, based upon the  
4 utility's most recent planning process, of the total, cost-effective, winter and summer peak  
5 demand (KW) and annual energy (KWH) savings reasonably achievable in the residential and  
6 commercial/industrial classes through demand-side management. Each utility must also file  
7 demand-side management goals developed under two scenarios: one scenario that includes  
8 potential demand-side management programs that pass the Participant and Rate Impact  
9 Measure Tests, and one scenario that includes potential demand-side management programs  
10 that pass the Participant and Total Resource Cost Tests, as these terms are used in Rule 25-  
11 17.008, F.A.C. Each utility's goal projections must be based on the utility's most recent  
12 planning process and must shall reflect the annual KW and KWH savings, over a ten-year  
13 period, from potential demand-side management programs with consideration of overlapping  
14 measures, rebound effects, free riders, interactions with building codes and appliance  
15 efficiency standards, and the utility's latest monitoring and evaluation of conservation  
16 programs and measures. In addition, for each potential demand-side management program  
17 identified in the proposed goals and in each scenario described above, each utility must provide  
18 overall estimated annual program costs over a ten-year period. Consideration of overlapping  
19 measures, rebound effects, free riders, interactions with building codes and appliance  
20 efficiency standards must be based on a transparent, evidence-based methodology that is  
21 consistent with industry standard practices, and must be accounted for within the utility's  
22 assumptions for naturally occurring energy efficiency adoption outside of utility-administered  
23 programs. Free ridership screening shall not be based on simple payback duration. Each  
24 utility's projections shall be based upon an assessment of, at a minimum, the following market  
25 segments and major end-use categories.

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 ~~Residential Market Segment:~~

2 ~~(Existing Homes and New Construction should be separately evaluated) Major End Use~~

3 ~~Category~~

4 ~~(a) Building Envelope Efficiencies.~~

5 ~~(b) Cooling and Heating Efficiencies.~~

6 ~~(c) Water Heating Systems.~~

7 ~~(d) Appliance Efficiencies.~~

8 ~~(e) Peakload Shaving.~~

9 ~~(f) Solar Energy and Renewable Energy Sources.~~

10 ~~(g) Renewable/Natural gas substitutes for electricity.~~

11 ~~(h) Other.~~

12 ~~Commercial/Industrial Market Segment:~~

13 ~~(Existing Facilities and New Construction should be separately evaluated) Major End Use~~

14 ~~Category~~

15 ~~(i) Building Envelope Efficiencies.~~

16 ~~(j) HVAC Systems.~~

17 ~~(k) Lighting Efficiencies.~~

18 ~~(l) Appliance Efficiencies.~~

19 ~~(m) Power Equipment/Motor Efficiency.~~

20 ~~(n) Peak Load Shaving.~~

21 ~~(o) Water Heating.~~

22 ~~(p) Refrigeration Equipment.~~

23 ~~(q) Freezing Equipment.~~

24 ~~(r) Solar Energy and Renewable Energy Sources.~~

25 ~~(s) Renewable/Natural Gas substitutes for electricity.~~

- 1           ~~(t) High Thermal Efficient Self Service Cogeneration.~~
- 2           ~~(u) Other.~~
- 3           (4) Within 90 days of a final order establishing or modifying goals, each utility must
- 4 file its demand-side management plan that includes the programs to meet the approved goals,
- 5 along with program administrative standards that include a statement of the policies and
- 6 procedures detailing the operation and administration of each program. ~~Each utility must also~~
- 7 consider strategies to mitigate excessive free ridership during program planning. ~~or such~~
- 8 ~~longer period as approved by the Commission, each utility shall submit for Commission~~
- 9 ~~approval a demand side management plan designed to meet the utility's approved goals. The~~
- 10 following information ~~must shall be filed submitted~~ for each demand-side management
- 11 program included in the utility's demand-side management plan for a ten-year projected
- 12 horizon period:
- 13           (a) The program name;
- 14           (b) The program start date;
- 15           ~~(c) A statement of the policies and procedures detailing the operation and~~
- 16 ~~administration of the program;~~
- 17           (c) (d) The total number of customers<sub>2</sub>, or other appropriate unit of measure<sub>2</sub>, in each
- 18 class of customer (i.e. residential, commercial, industrial, etc.) for each calendar year in the
- 19 planning horizon;
- 20           (d) (e) The total number of eligible customers<sub>2</sub>, or other appropriate unit of measure<sub>2</sub>, in
- 21 each class of customers (i.e., residential, commercial, industrial, etc.) for each calendar year in
- 22 the planning horizon;
- 23           (e) (f) An estimate of the annual number of customers<sub>2</sub>, or other appropriate unit of
- 24 measure<sub>2</sub>, in each class of customers projected to participate in the program for each calendar
- 25 year of the planning horizon, including a description of how the estimate was derived;

1            ~~(f)~~ ~~(g)~~ The cumulative penetration levels of the program by calendar year calculated as  
2 the percentage of projected cumulative participating customers, or appropriate unit of  
3 measure, by year to the total customers eligible to participate in the program;

4            ~~(g)~~ ~~(h)~~ Estimates on an appropriate unit of measure basis of the per customer and  
5 program total annual KWH reduction, winter KW reduction, and summer KW reduction, both  
6 at the customer meter and the generation level, attributable to the program. A summary of all  
7 assumptions used in the estimates, and a list of measures within the program must ~~will~~ be  
8 included;

9            ~~(h)~~ ~~(i)~~ A methodology for measuring actual KW kilowatt and KWH kilowatt-hour  
10 savings achieved from each program, including a description of research design,  
11 instrumentation, use of control groups, and other details sufficient to ensure that results are  
12 valid;

13            ~~(i)~~ ~~(j)~~ An estimate of the cost-effectiveness of the program using the cost-effectiveness  
14 tests required pursuant to Rule 25-17.008, F.A.C. ~~If the Commission finds that a utility's~~  
15 ~~conservation plan has not met or will not meet its goals, the Commission may require the~~  
16 ~~utility to modify its proposed programs or adopt additional programs and submit its plans for~~  
17 ~~approval.~~

18            ~~(j)~~ An estimate of the annual amount to be recovered through the energy conservation  
19 cost recovery clause for each calendar year in the planning horizon.

20            ~~(5)~~ The Commission may, on its own motion or on a petition by a substantially  
21 affected person or a utility, initiate a proceeding to review and, if appropriate, modify the  
22 goals. All modifications of the approved goals, plans, and programs will be on a prospective  
23 basis.

24            ~~(6)~~ ~~(5)~~ Each utility must ~~shall~~ submit an annual report no later than March 1 ~~of each~~  
25 ~~year~~ summarizing its demand-side management plan and the total actual achieved results for



1 its approved demand-side management plan in the preceding calendar year. The report must  
2 ~~shall contain, at a minimum,~~ a comparison of the achieved KW and KWH reductions with the  
3 established Residential and Commercial/Industrial goals, and the following information for  
4 each approved program:

5 (a) The name of the utility;

6 (b) The name of the program and program start date;

7 (c) The calendar year the report covers;

8 (d) The ~~The~~ total number of customers, or other appropriate unit of measure, by customer  
9 class for each calendar year of the planning horizon;

10 (e) The ~~The~~ total number of customers, or other appropriate unit of measure, eligible to  
11 participate in the program for each calendar year of the planning horizon;

12 (f) The ~~The~~ total number of customers, or other appropriate unit of measure, projected to  
13 participate in the program for each calendar year of the planning horizon;

14 (g) The potential cumulative penetration level of the program to date calculated as the  
15 percentage of projected participating customers to date to the total eligible customers in the  
16 class;

17 (h) The actual number of program participants and the current cumulative number of  
18 program participants;

19 (i) The actual cumulative penetration level of the program calculated as the percentage  
20 of actual cumulative participating customers to the number of eligible customers in the class;

21 (j) A comparison of the actual cumulative penetration level of the program to the  
22 potential cumulative penetration level of the program;

23 (k) A justification for any variances greater ~~larger~~ than 15% from ~~for~~ the annual goals  
24 established by the Commission;

25 (l) Using on-going measurement and evaluation results the annual KWH reduction, the

1 winter KW reduction, and the summer KW reduction, both at the meter and the generation  
2 level, per installation and program total, based on the utility's approved  
3 measurement/evaluation plan;

4 (m) The per installation cost and the total program cost of the utility;

5 (n) The net benefits for measures installed during the reporting period, annualized over  
6 the life of the program, as calculated by the following formula:

7 
$$\text{annual benefits} = B_{\text{npv}} \times d/[1 - (1+d)^{-n}]$$

8 where

9  $B_{\text{npv}}$  = cumulative present value of the net benefits over the life of the program for measures  
10 installed during the reporting period.

11  $D$  = discount rate (utility's after tax cost of capital).

12  $N$  = life of the program.

13 *Rulemaking Authority 350.127(2), 366.05(1), ~~366.82(1) (4)~~ FS. Law Implemented 366.82(~~1~~)*  
14 *(~~4~~) FS. History—New 4-30-93, Amended \_\_\_\_\_*

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# **Attachment 6**

Rule 25-17.0021, F.A.C. Proposed Revisions in Docket No. 20200181-EU by the  
League of United Latin American Citizens of Florida and the  
Environmental Confederation of Southwest Florida

1           **25-17.0021 Goals for Electric Utilities.**

2           (1) The Commission will ~~shall~~ initiate a proceeding at least once every five years to  
3 establish numerical goals for each affected electric utility, as defined by Section 366.82(1)(a),  
4 F.S., to reduce the growth rates of weather-sensitive peak demand, to reduce and control the  
5 growth rates of electric consumption, and to increase the conservation of expensive resources,  
6 such as petroleum fuels. The Commission will set annual Overall Residential kilowatt (KW)  
7 and kilowatt-hour (KWH) goals and annual overall Commercial/Industrial KW and KWH  
8 goals shall be set by the Commission for each year over a ten-year period. The goals, will shall  
9 be based on:

10           (a) An assessment of the technical potential of available measures; and

11           (b) aAn estimate of the total cost-effective KW kilowatt and KWH kilowatt-hour  
12 savings reasonably achievable through demand-side management programs in each utility's  
13 service area over a ten-year period.

14           (2) Pursuant to the schedule in an order establishing procedure in the proceeding to  
15 establish demand-side management goals, each utility must file a technical potential study.  
16 The Commission shall set goals for each utility at least once every five years. The technical  
17 potential study must be used to develop the proposed demand-side management goals, and it  
18 must assess the full technical potential of all available demand-side conservation and  
19 efficiency measures, including demand-side renewable energy systems, associated with each  
20 of the following market segments and major end-use categories.

21 Residential Market Segment:

22 (Existing Homes and New Construction should be separately evaluated) Major End-Use

23 Category

24           (a) Building Envelope Efficiencies.

25           (b) Cooling and Heating Efficiencies.

1           (c) Water Heating Systems.

2           (d) Lighting Efficiencies.

3           (e) Appliance Efficiencies.

4           (f) Peak Load Shaving.

5           (g) Solar Energy and Renewable Energy Sources.

6           Commercial/Industrial Market Segment:

7           (Existing Facilities and New Construction should be separately evaluated) Major End-Use

8           Category

9           (h) Building Envelope Efficiencies.

10          (i) Cooling and Heating Efficiencies.

11          (j) Lighting Efficiencies.

12          (k) Appliance Efficiencies.

13          (l) Power Equipment/Motor Efficiency.

14          (m) Peak Load Shaving.

15          (n) Water Heating Systems.

16          (o) Refrigeration/Freezing Equipment.

17          (p) Solar Energy and Renewable Energy Sources.

18          (qt) High Thermal Efficient Self Service Cogeneration.

19           Each utility's filing must describe how the technical potential study was used to develop the  
20           goals filed pursuant to subsection (3) below, including identification of measures that were  
21           analyzed but excluded from consideration. ~~The Commission on its own motion or petition by a~~  
22           substantially affected person or a utility may initiate a proceeding to review and, if  
23           appropriate, modify the goals. All modifications of the approved goals, plans and programs  
24           shall only be on a prospective basis.

25           (3) Pursuant to the schedule in an order establishing procedure in the proceeding to

1 establish demand-side management goals, each utility must file its proposed demand-side  
2 management goals. In a proceeding to establish or modify goals, each utility shall propose  
3 numerical goals for the ten year period and provide ten year projections, based upon the  
4 utility's most recent planning process, of the total, cost-effective, winter and summer peak  
5 demand (KW) and annual energy (KWH) savings reasonably achievable in the residential and  
6 commercial/industrial classes through demand-side management. Each utility must also file  
7 demand-side management goals developed under ~~two~~ three scenarios: one scenario that  
8 includes potential demand-side management programs that pass the Participant and Rate  
9 Impact Measure Tests, ~~and~~ one scenario that includes potential demand-side management  
10 programs that pass the Participant and Total Resource Cost Tests, ~~and one scenario that~~  
11 ~~includes potential demand-side management programs that pass the Participant and the Utility~~  
12 ~~Cost Tests,~~ as these terms are used in Rule 25-17.008, F.A.C., ~~with the Utility Cost Test~~  
13 ~~determined using the Rate Impact Measure test, but not including lost revenues from reduced~~  
14 ~~sales as a cost.~~ Each utility's goal projections must be based on the utility's most recent  
15 planning process and must shall reflect the annual KW and KWH savings, over a ten-year  
16 period, from potential demand-side management programs with consideration of overlapping  
17 measures, rebound effects, free riders, interactions with building codes and appliance  
18 efficiency standards, and the utility's latest monitoring and evaluation of conservation  
19 programs and measures. In addition, for each potential demand-side management program  
20 identified in the proposed goals and in each scenario described above, each utility must provide  
21 overall estimated annual program costs over a ten-year period. Each utility's projections shall  
22 ~~be based upon an assessment of, at a minimum, the following market segments and major end-~~  
23 ~~use categories.~~

24 Residential Market Segment:

25 (Existing Homes and New Construction should be separately evaluated) Major End Use

1 Category

2 ~~(a) Building Envelope Efficiencies.~~

3 ~~(b) Cooling and Heating Efficiencies.~~

4 ~~(c) Water Heating Systems.~~

5 ~~(d) Appliance Efficiencies.~~

6 ~~(e) Peakload Shaving.~~

7 ~~(f) Solar Energy and Renewable Energy Sources.~~

8 ~~(g) Renewable/Natural gas substitutes for electricity.~~

9 ~~(h) Other.~~

10 Commercial/Industrial Market Segment:

11 ~~(Existing Facilities and New Construction should be separately evaluated) Major End Use~~

12 Category

13 ~~(i) Building Envelope Efficiencies.~~

14 ~~(j) HVAC Systems.~~

15 ~~(k) Lighting Efficiencies.~~

16 ~~(l) Appliance Efficiencies.~~

17 ~~(m) Power Equipment/Motor Efficiency.~~

18 ~~(n) Peak Load Shaving.~~

19 ~~(o) Water Heating.~~

20 ~~(p) Refrigeration Equipment.~~

21 ~~(q) Freezing Equipment.~~

22 ~~(r) Solar Energy and Renewable Energy Sources.~~

23 ~~(s) Renewable/Natural Gas substitutes for electricity.~~

24 ~~(t) High Thermal Efficient Self Service Cogeneration.~~

25 ~~(u) Other.~~

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 (4) Within 90 days of a final order establishing or modifying goals, each utility must  
2 file its demand-side management plan that includes the programs to meet the approved goals,  
3 along with program administrative standards that include a statement of the policies and  
4 procedures detailing the operation and administration of each program. ~~or such longer period~~  
5 ~~as approved by the Commission, each utility shall submit for Commission approval a demand~~  
6 ~~side management plan designed to meet the utility's approved goals.~~ The following  
7 information ~~shall~~ must be filed ~~submitted~~ for each demand-side management program  
8 included in the utility's demand-side management plan for a ten-year projected horizon  
9 period:

10 (a) The program name;

11 (b) The program start date;

12 ~~(c) A statement of the policies and procedures detailing the operation and~~  
13 ~~administration of the program;~~

14 (c) ~~(d)~~ The total number of customers<sub>2</sub>, or other appropriate unit of measure<sub>2</sub>, in each  
15 class of customer (i.e. residential, commercial, industrial, etc.) for each calendar year in the  
16 planning horizon;

17 (d) ~~(e)~~ The total number of eligible customers<sub>2</sub>, or other appropriate unit of measure<sub>2</sub>, in  
18 each class of customers (i.e., residential, commercial, industrial, etc.) for each calendar year in  
19 the planning horizon;

20 (e) ~~(f)~~ An estimate of the annual number of customers<sub>2</sub>, or other appropriate unit of  
21 measure<sub>2</sub>, in each class of customers projected to participate in the program for each calendar  
22 year of the planning horizon, including a description of how the estimate was derived;

23 (f) ~~(g)~~ The cumulative penetration levels of the program by calendar year calculated as  
24 the percentage of projected cumulative participating customers<sub>2</sub>, or appropriate unit of  
25 measure<sub>2</sub>, by year to the total customers eligible to participate in the program;



1           (g) ~~(h)~~ Estimates on an appropriate unit of measure basis of the per customer and  
2 program total annual KWH reduction, winter KW reduction, and summer KW reduction, both  
3 at the customer meter and the generation level, attributable to the program. A summary of all  
4 assumptions used in the estimates, and a list of measures within the program must ~~will~~ be  
5 included;

6           (h) ~~(i)~~ A methodology for measuring actual KW kilowatt and KWH kilowatt-hour  
7 savings achieved from each program, including a description of research design,  
8 instrumentation, use of control groups, and other details sufficient to ensure that results are  
9 valid;

10           (i) ~~(j)~~ An estimate of the cost-effectiveness of the program using the cost-effectiveness  
11 tests required pursuant this Rule and to Rule 25-17.008, F.A.C. ~~If the Commission finds that a~~  
12 ~~utility's conservation plan has not met or will not meet its goals, the Commission may require~~  
13 ~~the utility to modify its proposed programs or adopt additional programs and submit its plans~~  
14 ~~for approval.~~

15           (j) An estimate of the annual amount to be recovered through the energy conservation  
16 cost recovery clause for each calendar year in the planning horizon.

17           (5) The Commission may, on its own motion or on a petition by a substantially  
18 affected person or a utility, initiate a proceeding to review and, if appropriate, modify the  
19 goals. All modifications of the approved goals, plans, and programs will be on a prospective  
20 basis.

21           (6) ~~(5)~~ Each utility must ~~shall~~ submit an annual report no later than March 1 ~~of each~~  
22 ~~year~~ summarizing its demand-side management plan and the total actual achieved results for  
23 its approved demand-side management plan in the preceding calendar year. The report must  
24 ~~shall~~ ~~contain, at a minimum,~~ a comparison of the achieved KW and KWH reductions with the  
25 established Residential and Commercial/Industrial goals, and the following information for

1 each approved program:

2 (a) The name of the utility;

3 (b) The name of the program and program start date;

4 (c) The calendar year the report covers;

5 (d) The ~~total~~ number of customers, or other appropriate unit of measure, by customer  
6 class for each calendar year of the planning horizon;

7 (e) The ~~total~~ number of customers, or other appropriate unit of measure, eligible to  
8 participate in the program for each calendar year of the planning horizon;

9 (f) The ~~total~~ number of customers, or other appropriate unit of measure, projected to  
10 participate in the program for each calendar year of the planning horizon;

11 (g) The potential cumulative penetration level of the program to date calculated as the  
12 percentage of projected participating customers to date to the total eligible customers in the  
13 class;

14 (h) The actual number of program participants and the current cumulative number of  
15 program participants;

16 (i) The actual cumulative penetration level of the program calculated as the percentage  
17 of actual cumulative participating customers to the number of eligible customers in the class;

18 (j) A comparison of the actual cumulative penetration level of the program to the  
19 potential cumulative penetration level of the program;

20 (k) A justification for any variances greater ~~larger~~ than 15% from ~~for~~ the annual goals  
21 established by the Commission;

22 (l) Using on-going measurement and evaluation results the annual KWH reduction, the  
23 winter KW reduction, and the summer KW reduction, both at the meter and the generation  
24 level, per installation and program total, based on the utility's approved  
25 measurement/evaluation plan;

1 (m) The per installation cost and the total program cost of the utility;

2 (n) The net benefits for measures installed during the reporting period, annualized over

3 the life of the program, as calculated by the following formula:

4 
$$\text{annual benefits} = B_{npv} \times d/[1 - (1+d)^{-n}]$$

5 where

6  $B_{npv}$  = cumulative present value of the net benefits over the life of the program for measures

7 installed during the reporting period.

8  $D$  = discount rate (utility's after tax cost of capital).

9  $N$  = life of the program.

10 *Rulemaking Authority 350.127(2), 366.05(1), ~~366.82(1) (4)~~ FS. Law Implemented ~~366.82(1)-~~*

11 *~~(4)~~ FS. History—New 4-30-93, Amended*

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