

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Rule 25-17.009, ) DOCKET NO. 941104-EG  
F.A.C., Requirements for ) ORDER NO. PSC-95-1486-NOR-EG  
Reporting Cost Effectiveness ) ISSUED: November 30, 1995  
Data for Demand Side Programs of )  
Natural Gas Utilities )  
\_\_\_\_\_ )

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman  
J. TERRY DEASON  
JOE GARCIA  
JULIA L. JOHNSON  
DIANE K. KIESLING

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to adopt new Rule 25-17.009, Florida Administrative Code, relating to requirements for reporting cost effectiveness data for demand side programs of natural gas utilities.

The attached Notice of Rulemaking will appear in the December 8, 1995 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at the following time and place:

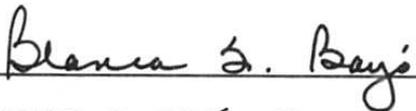
Florida Public Service Commission  
9:30 a.m., March 4, 1996  
Betty Easley Conference Center  
Room 148, 4075 Esplanade Way  
Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0870, no later than December 29, 1995.

DOCUMENT NUMBER-DATE  
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FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 30th  
day of November, 1995.

  
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BLANCA S. BAYÓ, Director  
Division of Records & Reporting

( S E A L )

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 941104-EG

RULE TITLE:

RULE NO.:

Requirements for Reporting Cost Effectiveness  
Data for Demand Side Management Programs of  
Natural Gas Utilities

25-17.009

PURPOSE AND EFFECT: In the past, the Commission has reviewed natural gas utilities' demand side management programs on a case by case basis. The purpose of proposed Rule 25-17.009 is to establish minimum filing guidelines and the Commission's methodology for reviewing gas DSM programs. The rule incorporates by reference the form "Requirements for Reporting Cost Effectiveness Data for Demand Side Management Programs of Natural Gas Utilities."

SUMMARY: Pursuant to subsection (1), the rule applies to all natural gas utilities that must comply with Sections 366.80 through 366.85, Florida Statutes, known as the "Florida Energy Efficiency and Conservation Act" (FEECA). In addition, pursuant to subsection (2), any utility that seeks to recover costs for a DSM program pursuant to Section 366.82(5) and Rule 25-17.015 must also comply with the cost effectiveness methodology espoused by the rule.

Subsection (2) of the recommended rule also incorporates by reference the "Florida Public Service Commission Cost Effectiveness Manual for Natural Gas Utility Demand Side Management Programs," which sets out the methodology for two cost effectiveness tests: the Participants Test and the Gas Rate Impact Measures (RIM) Test.

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Pursuant to subsection (3) no party is prohibited "from providing additional data or proposing additional formats for reporting cost effectiveness data for demand side management programs."

RULEMAKING AUTHORITY: 350.127(2), 366.05(1), F.S.

LAW IMPLEMENTED: 366.81, 366.82(1)-(5), F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

HEARING: IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., March 4, 1996

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-17.009 Requirements for Reporting Cost Effectiveness Data for Demand Side Management Programs of Natural Gas Utilities.

(1) This rule applies to all natural gas utilities as defined in Section 366.82, Florida Statutes.

(2) Each utility that seeks to recover costs for an existing, new, or modified demand side management program pursuant to Section 366.82(5), Florida Statutes, and Rule 25-17.015, Florida Administrative Code, shall file the cost effectiveness test results of the Participants Test and the Rate Impact Measure Test in the format set forth in Form PSC/EAG/x (x/9x), entitled the "Florida Public Service Commission Cost Effectiveness Manual for Natural Gas Utility Demand Side Management Programs," which is incorporated by reference in this rule and may be obtained from the Director, Division of Electric and Gas, Florida Public Service Commission:

(a) At the time each utility petitions the Commission to approve a new or modified demand side management program; and

(b) When the Commission requires the data for an existing, approved demand side management program.

(3) Nothing in this rule shall be construed as prohibiting any party from providing additional data or proposing additional formats for reporting cost effectiveness data for demand side management programs.

Specific Authority: 350.127(2), 366.05(1), F.S.

Law Implemented: 366.81, 366.82(1)-(5), F.S.

History: New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Ging, Division of Electric and Gas.

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NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE:  
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: November 21, 1995.

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (904) 413-6770 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).