

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Conservation Cost) DOCKET NO. 960002-EG
Recovery Clause) ORDER NO. PSC-96-0237-PHO-EG
_____) FILED: February 19, 1996

Pursuant to Notice, a Prehearing Conference was held on Monday, February 12, 1996, in Tallahassee, Florida, before Commissioner J. Terry Deason, as Prehearing Officer.

APPEARANCES:

WAYNE L. SCHIEFELBEIN, Esquire, Gatlin Woods & Carlson,
1709-d Mahan Drive, Tallahassee, Florida 32308
On behalf of Chesapeake Utilities Corporation.

MICHAEL A. PALECKI, Esquire, 955 East 25th Street,
Hialeah, Florida 33013-3498
On behalf of City Gas Company of Florida.

JAMES A. MCGEE, Esquire, Post Office Box 14042, St.
Petersburg, Florida 33733-4042
On behalf of Florida Power Corporation.

NORMAN H. HORTON, JR., Esquire, Messer Caparello,
Madsen, Goldman & Metz, P.A., Post Office Box 1876,
Tallahassee, Florida 32302-1876
On behalf of Florida Public Utilities Company and West
Florida Natural Gas Company.

CHARLES A. GUYTON, Esquire, Steel Hector & Davis, 215
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32301
On behalf of Florida Power & Light Company.

JEFFREY A. STONE, Esquire, and RUSSELL A. BADDERS,
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Garden Street, Post Office Box 12950, Pensacola,
Florida 32576-2950
On behalf of Gulf Power Company.

ROBERT SCHEFFEL WRIGHT, Esquire, Landers & Parsons, 310
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Florida 32302
On behalf of Peoples Gas System, Inc..

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On behalf of Tampa Electric Company.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

JOSEPH A. MCGLOTHLIN, Esquire, and VICKI GORDON
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On behalf of the Florida Industrial Power Users Group.

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On behalf of the Citizens of the State of Florida.

SHEILA L. ERSTLING, Esquire, Florida Public Service
Commission, 2540 Shumard Oak Boulevard, Tallahassee,
Florida 32399-0850
On behalf of the Commission Staff.

PREHEARING ORDER

I. CASE BACKGROUND

As part of the Commission's continuing fuel and energy conservation cost, purchased gas cost, and environmental cost recovery proceedings, a hearing is set for February 21 - 22, 1996, in this docket and in Docket Nos. 960001-EI, 960003-GU and 960007-EI. The hearing will address the issues set out in the body of this prehearing order.

II. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

A. Any information provided pursuant to a discovery request for which proprietary confidential business information status is requested shall be treated by the Commission and the parties as confidential. The information shall be exempt from Section 119.07(1), Florida Statutes, pending a formal ruling on such request by the Commission, or upon the return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been used in the proceeding, it shall be returned expeditiously to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of the proceeding, it shall be returned to the person providing the information within the time periods set forth in Section 366.093(2), Florida Statutes.

B. It is the policy of the Florida Public Service Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation

pursuant to Section 366.093, Florida Statutes, to protect proprietary confidential business information from disclosure outside the proceeding.

In the event it becomes necessary to use confidential information during the hearing, the following procedures will be observed:

- 1) Any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, Florida Statutes, shall notify the Prehearing Officer and all parties of record by the time of the Prehearing Conference, or if not known at that time, no later than seven (7) days prior to the beginning of the hearing. The notice shall include a procedure to assure that the confidential nature of the information is preserved as required by statute.
- 2) Failure of any party to comply with 1) above shall be grounds to deny the party the opportunity to present evidence which is proprietary confidential business information.
- 3) When confidential information is used in the hearing, parties must have copies for the Commissioners, necessary staff, and the Court Reporter, in envelopes clearly marked with the nature of the contents. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.
- 4) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise the confidential information. Therefore, confidential information should be presented by written exhibit when reasonably possible to do so.
- 5) At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to

the Court Reporter shall be retained in the
Commission Clerk's confidential files.

Post-hearing procedures

Rule 25-22.056(3), Florida Administrative Code, requires each party to file a post-hearing statement of issues and positions. A summary of each position of no more than 50 words, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of the prehearing order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. The rule also provides that if a party fails to file a post-hearing statement in conformance with the rule, that party shall have waived all issues and may be dismissed from the proceeding.

A party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 60 pages, and shall be filed at the same time. The prehearing officer may modify the page limit for good cause shown. Please see Rule 25-22.056, Florida Administrative Code, for other requirements pertaining to post-hearing filings.

III. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties has been prefiled. All testimony which has been prefiled in this case will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to appropriate objections. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. After all parties and Staff have had the opportunity to object and cross-examine, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

IV. ORDER OF WITNESSES

<u>Witness</u>	<u>Appearing For</u>	<u>Issues #</u>
<u>Direct</u>		
* W. M. Nettles	Chesapeake	1, 2
* C. Smith	City Gas	1, 2
* M. F. Jacob	FPC	1, 2
** K. H. Wieland	FPC	3, 4, 5
* F. A. Avello	FPL	1, 2
* M. Peacock	FPUC	1, 2
M. D. Neyman	Gulf	1, 2, 7, 8
V. I. Krutsinger	Peoples	1, 2, 9, 10, 11
* None	St. Joe	1, 2
* H. T. Bryant	TECO	1, 2
* C. Arnold	WFNG	1, 2
* Sott	WFNG	2
* Goodwin	WFNG	2

* Witnesses whose names are preceded by an asterisk (*) have been excused. The parties have stipulated that the testimony of those witnesses will be inserted into the record as though read, and cross-examination will be waived. The parties have also stipulated that all exhibits submitted with the witnesses' testimony shall be identified as shown in Section VII of this Prehearing Order and admitted into the record.

** Witnesses whose names are preceded by two asterisk (**) were not excused at the time of the prehearing conference. Since then, the parties have stipulated the issues and the same waiver as to appearances cited above now applies to them.

Rebuttal

None.

V. BASIC POSITIONS

POSITIONS:

CHESAPEAKE: The Commission should approve CUC's final adjusted net true-up amount of \$55,068 (underrecovery) for the period October 1, 1994 through September 30, 1995; the estimated true-up amount for the twelve months ending March 31, 1997; and the projected conservation program expenses for the period April 1, 1996 through March 31, 1997.

The Commission should approve the following ECCR factors for the following rate classes for application to bills rendered for meter readings taken between April 1, 1996 and March 31, 1997:

<u>Rate Class</u>	<u>ECCR Factor</u> <u>(cents per therm)</u>
GS Residential	3.656
GS Commercial	1.142
GS Comm. Large Volume	0.693
GS Industrial	0.382
Firm Transportation	0.369

CITY GAS: The Commission should determine that the appropriate adjusted net true-up for City Gas Company for the period October 1994 through September 1995 is \$210,395 underrecovery. The appropriate conservation cost recovery factors for the period April 1996 through March 1997 are \$3.232 cents per therm for the RS class and \$.883 cents per therm for the CS class.

FPC: None necessary.

FPL: FPL's proposed Conservation Cost Recovery Factors for the April 1996 through March 1997 recovery

period and true-up amounts for prior periods should be approved.

FPUC: Florida Public Utilities has properly projected its costs and calculated its true-up amounts and conservation cost recovery factors. Its expenses and projections are prudent, and its conservation cost recovery factors should be approved by the Commission.

GULF: It is the basic position of Gulf Power Company that the proposed ECCR factor presents the best estimate of Gulf's Conservation expense for the period April 1996 through March 1997, including the true-up calculations and other adjustments allowed by the Commission.

PEOPLES: The Commission should approve Peoples' final end-of-period true-up amount of \$4,752,586 (overrecovery) for the period October 1, 1994 through September 30, 1995, and the projected conservation program expenses for the full annual period ending March 31, 1995.

The Commission should approve the following ECCR factors for the following rate classes to be applied to bills rendered for meter readings taken between April 1, 1996 and March 31, 1997.

Residential	3.629 cents per therm
Comm'l Street Lighting	0.443 cents per therm
Small Commercial	3.347 cents per therm
Commercial	1.293 cents per therm
Comm'l Large Volume 1	1.046 cents per therm
Comm'l Large Volume 2	0.762 cents per therm
Natural Gas Vehicle Svc.	0.000 cents per therm

SJNG: The Commission should approve the final adjusted net true-up amount for the twelve month period ending September 30, 1995 including interest, the projected conservation program expenses for the six month period ending March 31, 1997 and the conservation cost Recovery Factors to be applied to customer bills rendered for the twelve month period ending March 31, 1997, as filed by SJNG.

TECO: The Commission should determine that Tampa electric has properly calculated its conservation cost recovery true-up and projections and that the

appropriate conservation cost recovery factor be applied by Tampa Electric during the period April 1, 1996 through March 31, 1997 is 0.007 cents per KWH for Interruptible, 0.162 cents per KWH for Residential, 0.154 cents per KWH for General Service Non-demand, 0.127 cents per KWH for General Service Demand - Primary, 0.121 cents per KWH for General Service Demand - Secondary, 0.119 cents per KWH for General Service Large Demand - Primary, 0.118 cents per KWH for General Service Large Demand - Subtransmission, and 0.064 cents per KWH for Lighting.

- WFNG: West Florida Natural Gas Company has properly projected its costs and calculated its true-up amounts and conservation cost recovery factors. Its expenses and projections are prudent, and its conservation cost recovery factors should be approved by the Commission.
- LEAF: Position as stated in Joint Stipulation with Florida Power Corporation.
- FIPUG: None at this time.
- OPC: No position at this time.
- STAFF: Staff takes no basic statement of position pending the evidence developed at hearing.

VI. ISSUES AND POSITIONS

Generic Conservation Cost Recovery Clause Issues

PARTIALY STIPULATED

ISSUE 1: What are the appropriate end-of-period final true-up amounts for the period October, 1994 through September, 1995?

STIPULATED POSITIONS:

<u>Electric:</u> FPC:	\$9,044,353 over-recovery
FPL:	\$5,400,404 over-recovery
TECO:	\$1,580,551 over-recovery

FPUC
(Marianna Division): \$6,312 under-recovery
(Fernandina Division): \$1,656 over-recovery

Gas CHESAPEAKE: \$55,068 under-recovery
CGS: \$210,395 under-recovery
SJNG: \$9,736 over-recovery
WFNG: \$147,969 over-recovery

NONSTIPULATED POSITIONS:

GULF: Underrecovery \$166,846. (Neyman)
PEOPLES: Overrecovery of \$4,752,586. (Krutsinger)
FIPUG: FIPUG has no position at this time.
OPC: GULF: No position at this time.
PEOPLES GAS: No position at this time.
STAFF: GULF: \$133,511 underrecovery.
PEOPLES GAS: No position at this time.

PARTIALLY STIPULATED

ISSUE 2: What are the appropriate conservation cost recovery factors for the period April, 1996 through March, 1997?

STIPULATED POSITIONS:

Electric:

Florida Power Corporation:

<u>Rate Class</u>	<u>ECCR Factor</u>
Residential:	0.295 cents/kWh
GS Non-Demand:	0.242 cents/kWh
@ primary voltage:	0.240 cents/kWh
@ transmission voltage:	0.237 cents/kWh
GS 100% Load Factor:	0.179 cents/kWh
GS Demand:	0.209 cents/kWh
@ primary voltage:	0.207 cents/kWh
@ transmission voltage:	0.205 cents/kWh
Curtaillable:	0.182 cents/kWh
@ primary voltage:	0.182 cents/kWh

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@ transmission voltage:	0.178 cents/kWh
Interruptible:	0.182 cents/kWh
@ primary voltage:	0.178 cents/kWh
@ transmission voltage:	0.178 cents/kWh
Lighting:	0.091 cents/kWh

Florida Power and Light Company:

<u>Rate Class</u>	<u>ECCR Factor</u>
RS-1:	0.209 cents/kWh
GS-1:	0.206 cents/kWh
GSD-1:	0.174 cents/kWh
OS-2:	0.164 cents/kWh
GSLD-1 / CS-1:	0.173 cents/kWh
GSLD-2 / CS-2:	0.175 cents/kWh
GSLD-3 / CS-3:	0.168 cents/kWh
ISST-1D:	0.180 cents/kWh
SST-1T:	0.193 cents/kWh
SST-1D:	0.142 cents/kWh
CILCD/CILCG:	0.172 cents/kWh
CILCT:	0.157 cents/kWh
MET:	0.189 cents/kWh
OL-1 / SL-1:	0.111 cents/kWh
SL-2:	0.163 cents/kWh

Tampa Electric Company:

<u>Rate Class</u>	<u>ECCR Factor</u>
Interruptible:	0.007 cents/kWh
Residential:	0.162 cents/kWh
GS Non-Demand:	0.154 cents/kWh
GS Demand @ secondary:	0.127 cents/kWh
GS Demand @ primary:	0.126 cents/kWh
GS Large Demand @ secondary:	0.121 cents/kWh
GS Large Demand @ primary:	0.119 cents/kWh
GS Large Demand @ sub-transmission:	0.118 cents/kWh
Lighting:	0.064 cents/kWh

Florida Public Utilities Company

<u>Rate Class</u>	<u>ECCR Factor</u>
Marianna Division:	0.019 cents/kWh
Fernandina Division:	0.009 cents/kWh

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Gas:

Chesapeake Utility Company:

<u>Rate Class</u>	<u>ECCR Factor</u>
GS - Residential	3.656 cents / therm
GS - Commercial	1.142 cents / therm
GS - Commercial Lg Vol	.693 cents / therm
GS - Industrial	.382 cents / therm
Firm Transportation	.369 cents / therm

City Gas Company:

<u>Rate Class</u>	<u>ECCR Factor</u>
RS - Residential	3.232 cents / therm
CS - Commercial	.883 cents / therm

St. Joe Natural Gas:

<u>Rate Class</u>	<u>ECCR Factor</u>
Residential	.494 cents / therm
Commercial	.790 cents / therm
Commercial - Lg Vol	.418 cents / therm

West Florida Natural Gas:

<u>Rate Class</u>	<u>ECCR Factor</u>
Residential	4.960 cents / therm
Commercial	1.676 cents / therm
Commercial Lg Vol	1.255 cents / therm
Commercial Lg Vol Trans	1.255 cents / therm
Industrial	.287 cents / therm
Firm Transportation	.287 cents / therm
Special Contract	.287 cents / therm

NONSTIPULATED POSITIONS:

<u>Gulf:</u>	<u>Rate Class</u>	<u>ECCR Factor</u>
	RS, RST	0.044 cents per kWH
	GS, GST	0.044 cents per kWH
	GSD, GSDT, SBS	0.043 cents per kWH
	LP, LPT, SBS	0.041 cents per kWH
	PX, PXT, SBS, RTP	0.039 cents per kWH
	OSI, OSII	0.039 cents per kWH
	OSIII	0.042 cents per kWH
	OSIV	0.039 cents per kWH

The recovery factor applicable to customers taking service under Rate Schedule SBS is determined as follows: customers with a Contract Demand in the range of 100 to 499 KW will use the recovery factor applicable to Rate Schedule GSD; customers with a Contract Demand in the range of 500 to 7,499 KW will use the recovery factor applicable to Rate Schedule LP; and customers with a Contract Demand over 7,499 KW will use the recovery factor applicable to Rate Schedule PX.

* These factors do not include an adjustment for the removal of the Business Edge Program. Gulf will make final adjustment when all issues are resolved.

Peoples:

<u>Rate Class</u>	<u>ECCR Factor</u>
Residential	3.629 cents per therm
Comm'l Street Lighting	0.443 cents per therm
Small Commercial	3.347 cents per therm
Commercial	1.293 cents per therm
Comm'l Large Volume 1	1.046 cents per therm
Comm'l Large Volume 2	0.762 cents per therm
Natural Gas Vehicle Svc.	0.000 cents per therm

FIPUG: FIPUG has no position at this time, but reserves the right to take a position on this issue by the date of the prehearing conference.

OPC: GULF: No position at this time.
PEOPLES GAS: No position at this time.

STIPULATED

ISSUE 5: Should FPC be allowed to defer until no later than October 1, 1996, with interest, its revenue decoupling true-up to allow FPC the opportunity to conduct a bidding process among its contract QF's for the purpose of enhancing the benefit of the true-up to its ratepayers, instead of refunding the amount to ratepayers through an Environmental Conservation Cost Recovery factor effective April, 1996, through March 1997?

POSITION: FPC shall be allowed to defer refunds of the final 1995 decoupling overrecovery, with accrued interest, while the utility conducts a bidding process among its contract QFs to determine if enhanced benefits can be obtained for residential customers. No later than October 1, 1996, FPC shall file a petition for its proposed disposition of the 1995 Decoupling overrecovery. The petition shall describe with specificity the results of FPC's bidding process and enhanced benefits available to the residential ratepayer, if any. Regardless of the findings of the utility's bidding process, the ultimate disposition of all overrecovery decoupling revenues for 1995, plus accrued interest, shall remain subject to the Commission's decision. FIPUG, LEAF, OPC and parties to this docket retain the right to participate in future proceedings on this decoupling true-up issue.

Gulf Power Company (Gulf)

ISSUE 6: Has been deleted

ISSUE 7: Should the Commission grant Gulf Power Company's request to change the method for allocating the costs of the Residential Advanced Energy Management (AEM) program from an energy basis to a demand basis?

POSITIONS:

CHESAPEAKE: No position.

CITY GAS: No position.

FPC: No position.

FPL: No position.

FPUC: No position.

GULF: Yes. The Commission should grant Gulf Power Company's request to change the method for allocating the costs of the Residential Advanced Energy Management (AEM) program from an energy basis to a demand basis. Order No. PSC-93-1845-FOF-EG defines dispatchable programs as ". . . . those programs which the utility, at its discretion, can call upon to reduce load when capacity is needed for those(sic) system." Gulf's AEM is designed as a dispatchable program which the Company can call upon, at its discretion, to reduce load when capacity is needed. Gulf's pilot energy management program (Transtext) demonstrated that customers respond and voluntarily reduce load when given the critical energy price signal by the Company. This price signal is sent to Gulf's AEM customers at the discretion of the Company. The load impacts are similar to those achievable through direct load control. AEM is clearly a dispatchable program oriented toward peak demand reduction.

PEOPLES: No position.

SJNG: No position.

TECO: No position.

WFNG: No position.

FIPUG: No position.

OPC: No position.

STAFF: No. The Commission should deny Gulf's request. Pursuant to Order No. PSC-93-1845-FOF-EG, costs are allocated on a demand basis only for dispatchable conservation programs. Gulf's Advanced Energy Management program is not a dispatchable program as defined in Order No. PSC-93-1845-FOF-EG.

ISSUE 8: Should Gulf Power Company's final true-up amount be reduced to reflect expenses incurred in the In Concert With The Environment program prior to the Commission's approval of this program?

POSITIONS:

CHESAPEAKE: No position.

CITY GAS: No position.

FPC: No position.

FPL: No position.

FPUC: No position.

GULF: No. Gulf's final true-up amount should not be reduced by \$33,335.34 which was incurred prior to the approval of the program. This expense, while incurred prior to approval of the program, was required in order to purchase and implement the program. Without this fee, the program could not have been implemented. The licensing fee was paid in three installments, two of which were paid prior to the program's approval. The entire licensing fee was included as an expense in the cost effectiveness calculations submitted with the demand side programs. The program was found to be cost effective. Therefore, because the program would not be possible without the licensing fee, the true-up should not be reduced and the entire amount of \$33,335.34 incurred prior to approval of the program should be approved for recovery.

PEOPLES: No position.

SJNG: No position.

TECO: No position.

WFNG: No position.

FIPUG: No position.

OPC: No position.

STAFF: Yes. Gulf's final true-up amount should be reduced by \$33,335.34 to reflect licensing fees associated

with this program and paid by Gulf prior to Commission approval of the program.

Peoples Gas System, Inc. (Peoples)

ISSUE 9: Is it appropriate for Peoples Gas System, Inc. to recover \$41,625 of legal costs incurred in defense of its Commission approved Home Builder program when challenged for cost-effectiveness by a competitive utility?

POSITIONS:

CHESAPEAKE: No position.

CITY GAS: No position.

FPC: No position.

FPL: No position.

FPUC: No position.

GULF: No position.

PEOPLES: Yes. Generically, such costs are directly associated with and attributable to Peoples' implementation and administration of its Commission-approved energy conservation programs. The specific expense item raised in the Staff's audit report on Peoples' energy conservation programs was incurred to defend Peoples' implementation of its approved programs against discriminatory, unapproved, gas-busting incentives offered by a competitor.

SJNG: No position.

TECO: No position.

WFNG: No position.

FIPUG: No position.

OPC: No position at this time.

STAFF: No position at this time.

STIPULATED

ISSUE 10:

Is it appropriate for Peoples to recover \$41,038 for outside consulting fees related to research conducted to forecast and monitor financial impact of their conservation programs.

POSITION:

Peoples believes that it is appropriate for the company to recover the full amount; however, staff's position is that the information obtained is also useful for other company planning, and Peoples should recover only \$20,519 of the expenses. In order to avoid controversy and the uncertainty and expense associated with litigation, Peoples is willing to stipulate to the Staff's recommended treatment of the subject expenses, *ie.*, that fifty percent (\$20,519) would be recovered through ECCR charges and fifty percent (\$20,519) would be recorded as a general above-the-line expense.

ISSUE 11:

Should PGS be allowed to recover costs incurred in Docket No. 941104-GU, related to the development of a demand-side management cost recovery methodology?

POSITIONS:

CHESAPEAKE:

No position.

CITY GAS:

No position.

FPC:

No position.

FPL:

No position.

FPUC:

No position.

GULF:

No position.

PEOPLES:

Yes. Peoples is entitled to recover the subject expenses (\$7,828) because: (1) they were incurred directly as part of Peoples' energy conservation program activities pursuant to FEECA and Peoples' Commission-approved Energy Conservation Plan; and (2) they meet the statutory criteria of being "reasonable and prudent unreimbursed costs projected to be incurred" in connection with utility conservation programs in accordance with FEECA. These costs were included in the

projected costs for outside services filed by the Company for recovery under ECCR in Docket No. 950002-EG, which, in total, were approved for ECCR recovery by the Commission.

SJNG: No position.
TECO: No position.
WFNG: No position.
FIPUG: No position.
OPC: No position at this time.
STAFF: No. Conservation cost recovery expenses should be reduced \$7,828.

VII. EXHIBIT LIST

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Nettles	Chesapeake	<u>(WMN - 1)</u> Composite	True-up variance analysis (Schedules CT1 through CT6)
Nettles	Chesapeake	<u>(WMN - 2)</u>	Projections Recovery Clause Calculation; Estimated ECCR charges by rate classification; (Schedule C1; Schedule C2; Schedule C3; Schedule C4)
Smith	City Gas	<u>(CS - 1)</u>	Schedules C-1, C2, C3, C-4 and C-5
Jacob	FPC	<u>(MFJ - 1)</u>	Summary of Estimated Cost Recovery Clause Calculations

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Wieland	FPC	<u>(KWH - 1)</u>	Decoupling True-up Balance Calculation and Revised Exhibit 6
Avello	FPL	<u>(FAA - 1)</u>	Schedules CT-1 through CT-6
Avello	FPL	<u>(FAA - 2)</u>	Schedules C-1 through C-5
Peacock	FPUC	<u>(MAP - 1)</u> <u>(MAP - 4)</u>	Schedules CT-1 through CT-6 (Marianna and Fernandina Beach Divisions)
Peacock	FPUC	<u>(MAP - 1)</u> <u>(MAP - 2)</u>	Schedule C-1 through C-5 (Marianna and Fernandina Beach Divisions)
Neyman	Gulf	<u>(MDN - 1)</u>	Schedules CT-1 through CT-6
Neyman	Gulf	<u>(MDN - 2)</u>	Schedules C-1 through C-5
Neyman	Gulf	<u>(MDN - 4)</u>	Load Response Charts
Neyman	Gulf	<u>(MDN - 5)</u>	Pilot study AEM system - dated November 24, 1994
Krutsinger Peoples		<u>(VIK-1)</u>	Conservation Cost Recovery True-up Data
Krutsinger Peoples		<u>(VIK-2)</u>	ECCR Program and Cost Data And ECCR Factor Calculations
Bryant	TECO	<u>(HTB - 1)</u>	Schedules supporting cost recovery factor, actual October 1994 through September 1995
Bryant	TECO	<u>(HTB - 2)</u>	Schedules supporting conservation costs projected for the period April 1, 1996 through March 31, 1997

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Arnold	WFNG	_____ (CA - 1)	Schedules CT-1 - CT-6
Arnold	WFNG	_____ (CA - 2)	Schedules C-1, C-2, C-3 and C-5

Parties and Staff reserve the right to identify additional exhibits for the purpose of cross-examination.

VIII. PROPOSED STIPULATIONS

Florida Power Corporation and Legal Environmental Assistance Foundation filed a Joint Motion to Approve Stipulation as regards Issue No. 5. This Motion is in addition to the stipulated position reached by the parties to this docket.

IX. PENDING MOTIONS

Joint Motion to Approve Stipulation by Florida Power Corporation and Legal Environmental Assistance Foundation.

It is therefore,

ORDERED by Commissioner J. Terry Deason, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 19th day of February, 1996.



J. Terry Deason, Commissioner
and Prehearing Officer

(S E A L)

SLE

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; 2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.