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January 14, 1998

JAN 15 1998

7:35
FPSC - Records/Reporting

TO : DIVISION OF RECORDS & REPORTING

FROM : MARY ANNE HELTON, ASSOCIATE GENERAL COUNSEL *Maat*

RE : DOCKET NO. 971626-EU, PROPOSED AMENDMENTS TO RULE 25-17.006, F.A.C., ELECTRIC UTILITY SYSTEM CONSERVATION
END USE DATA

98-0100-NDR-EU

Attached please find a Notice of Rulemaking for distribution by your office.

Industry distribution is:

- Electric (EI)
- Electric (EM)
- Electric (EC)
- Gas (GU)
- Gas (GS)
- Gas Pipeline (GP)
- Telephone (TL)
- Telephone (TI)
- Telephone (TC)
- Telephone (TS)
- Telephone (TX)
- Telephone Alternate Access Vendors (TA)
- Water and Wastewater (WAW)

*ok
yf*

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This document has the following priority:

- Must be issued today.
- Must be issued within 48 hours.
- Must be issued within 5 working days.

See 1

NOR17006.MRD
Attachment
cc: File
W. Terrell

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Amendments to
Rule 25-17.006, F.A.C., Electric
Utility System Conservation End
Use Data.

DOCKET NO. 971626-EU
ORDER NO. PSC-98-0100-NOR-EU
ISSUED: January 15, 1998

The following Commissioners participated in the disposition of
this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service
Commission, pursuant to Section 120.54, Florida Statutes, has
initiated rulemaking to amend Rule 25-17.006, Florida
Administrative Code, relating to electric utility system
conservation end use data.

The attached Notice of Rulemaking will appear in the January
23, 1998, 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., Monday, February 23, 1998
Betty Easley Conference Center
Room 152, 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 32399-0862, no later than
February 13, 1998.

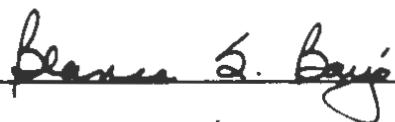
DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 15th
day of January, 1998.



BLANCA S. BAYÓ, Director
Division of Records & Reporting

(S E A L)

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 971626-EU

RULE TITLE:

RULE NO.:

Electric Utility System Conservation

25-17.006

End Use Data

PURPOSE AND EFFECT: To reduce the survey sample size, to eliminate requirements that addressed the Florida Model Energy Efficiency Code, to acknowledge the recent legislative change to Section 366.82(1), Florida Statutes, and to clarify the requirements of the rule.

SUMMARY:

Subsection (1): Sets out the purpose of the rule.

Subsection (2): Sets out the applicability of the rule.

Subsection (3): Describes the survey year.

Subsection (4): Sets out the survey methodology.

Subsection (5): Describes the survey and Commission responsibilities.

Subsection (6): Prescribes the random sample requirements.

Subsection (7): Sets out the requirements for reporting the survey results.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs was prepared.

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Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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

LAW IMPLEMENTED: 366.05(1), 366.82, 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 TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., Monday, February 23, 1998

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:
Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862.

THE FULL TEXT OF THE PROPOSED RULE IS:

Text has been substantially reorganized and reworded:

25-17.006 Electric Utility System Conservation End Use Data

(1) PURPOSE: The purpose of this rule is to provide for the periodic submission of certain conservation information and other

related information to the Commission. Applications of this rule include:

(a) Gathering information to review and revise conservation goals pursuant to Rule 25-17.0021, F.A.C.;

(b) Gathering information to estimate the potential kilowatt hour (KWH) and kilowatt demand (KW) savings achievable through various conservation measures and conservation technologies; and

(c) Gathering information to enable the Commission to analyze conservation alternatives to mitigate the need to construct new power plants in Florida.

(2) APPLICABILITY: This rule shall apply to all electric utilities that fall under the definition of "utility" in Section 366.82(1), Florida Statutes.

(3) SURVEY YEAR: In order to accomplish the purpose of this rule, starting with calendar year 1998 and every four years thereafter, 1,350 residential customer accounts throughout Florida shall be surveyed to collect information on appliance stock, housing characteristics, household demographic characteristics, and twelve months of kilowatt hour billing history.

(4) METHODOLOGY: For the purposes of obtaining the data described in subsection (3), each utility shall interview its proportionate share of residential customers to yield a total of 1,350 usable, complete observations for the state.

(a) By November 1st prior to the survey year each utility shall provide to the Director of the Division of Electric and Gas its total number of residential customers of record as of June 30th prior to the survey year.

(b) By January 15 of the survey year the Director of the Division of Electric and Gas shall allocate the number of customer accounts for which each utility must conduct a field interview based on the information submitted pursuant to paragraph (4)(a).

(5) By January 15th of the survey year, the Commission shall prescribe the survey instrument each utility must use to gather the information on appliance stocks, housing characteristics, household demographic characteristics, and twelve months of KWH billing history. Nothing in this paragraph shall be construed to prohibit an electric utility from adding additional questions to its own survey.

(6) Each utility shall draw a random sample of residential customers who meet the following requirements:

(a) Customers must be customers of record as of July 1st of the survey year.

(b) Customers must have been continuously billed during each month of the 12-month period starting July 1st of the year prior to the survey year.

(c) Seasonal customers billed in accordance with paragraph (6)(b) may be counted toward the required number of sample customers.

(d) Each utility shall make at least four attempts to arrange a survey interview with each customer drawn from its random sample of customer accounts. Each utility must make attempts to arrange survey interviews during evenings and weekends. Evening and weekend field interviews shall be conducted for those customers normally not available during weekdays from 8:00 a.m. to 5:00 p.m. Only after four attempts to arrange an interview have been made shall another customer be drawn at random from the utility's list of customers.

(7) RESULTS: Each utility shall report the survey information and billing history on each individual respondent to the Commission on or before December 1st of the calendar year in which the survey is conducted. This information shall be reported such that no individual customer's identity can be determined. The information reporting format shall be prescribed by the Director of the Division of Electric and Gas prior to April 1st of the survey year. The medium for reporting the information shall be a three and one-half inch computer diskette using an ASCII delimited database structure unless another medium is approved in writing by the Director of the Division of Electric and Gas.

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

Law Implemented: 366.05(1), 366.82~~(2)~~, F.S.

History: New 6/14/82, formerly 25-17.06, Amended 2/21/85, 9/7/87,
5/10/93, 3/7/94,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kenneth Dudley, Division
of Electric and Gas.

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: January 6, 1998.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:
Volume 23, Number 44, October 31, 1997.

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 (850) 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).