

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Repeal of Rule) DOCKET NO. 960169-GU
25-7.067, F.A.C., Heating Value) ORDER NO. PSC-96-0600-NOR-GU
Standard For Manufactured Gas;) ISSUED: April 26, 1996
Rule 25-7.068, F.A.C., Heating)
Value Tests; and Rule 25-7.069,)
F.A.C., Calorimeter Equipment;)
and Amendment of Rule 25-)
7.085(2)(c), F.A.C., Customer)
Billing)

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 repeal Rules 25-7.067, 25-7.068, 25-7.069 and amend 25-7.085(2)(c), Florida Administrative Code, relating to gas utilities.

The attached Notice of Rulemaking will appear in the May 3, 1996, edition of the Florida Administrative Weekly. If timely requested, a hearing will be held at the following time and place:

Florida Public Service Commission
10:00 a.m., May 29, 1996
Betty Easley Conference Center
Room 152, 4075 Esplanade Way
Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rules 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 May 24, 1996.

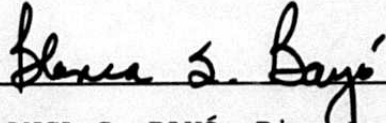
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FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 26th
day of April, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 960169-GU

RULE TITLE:	RULE NO.:
Heating Value Standard for Manufactured Gas	25-7.067
Heating Value Tests	25-7.068
Calorimeter Equipment	25-7.069
Customer Billing	25-7.085

PURPOSE AND EFFECT: The purpose in repealing or revising these rules is to eliminate rules that are considered to be obsolete.

SUMMARY: The rules being repealed or revised are obsolete provisions that regulate manufactured gas utility activities.

RULEMAKING AUTHORITY: 366.05(1), Florida Statutes.

LAW IMPLEMENTED: 366.05(1), 366.05(3), 366.06(1), Florida Statutes.

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: 10:00 A.M., May 29, 1996

PLACE: Room 171, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

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

THE FULL TEXT OF THESE RULES ARE:

25-7.067 Heating Value Standard for Manufactured Gas.

~~(1) Each manufactured gas utility shall establish and maintain, with the approval of the Commission, a standard heating value for its product. This heating value standard, expressed in BTU per standard cubic foot, shall be filed with the Commission as a part of its schedule of rates or rules and regulations.~~

~~(2) The monthly average heating value of the manufactured gas, as delivered to consumers within the area served, shall be not less than the heating value standard on file with the Commission.~~

~~(3) The heating value of the manufactured gas shall be maintained with as little deviation as practicable and the average total heating value on any one day should not exceed or fall below the authorized standard by more than four percent (4%) except when a substitute gas is used in accordance with the provisions of (5) of this rule.~~

~~(4) In maintaining the established heating value, the chemical composition and specific gravity shall be such as to attain satisfactory combustion in the customer's appliances at all times without repeated readjustment of the burners.~~

~~(5) In situations where a supplemental or substitute gas is distributed by a utility, the gas quality shall be such that the utilization performance, when used as a fuel, will be satisfactory regardless of the heating value of the gas.~~

~~(6) No utility shall change its standard of heating value without first obtaining the approval of the Commission for such change.~~

Specific Authority: 366.05(1) FS.

Law Implemented: 366.05(1) FS.

History: Repromulgated 1-8-75, 5-4-75, formerly 25-7.67, Repealed

~~25-7.068 Heating Value Tests.~~

~~(1) Tests for heating value shall be made at a location or locations which will insure a representative sampling of the gas being sent out to the distribution system.~~

~~(2) Any utility supplying manufactured or mixed gas shall determine the heating value of such gas at least once each day, except Sundays and holidays.~~

~~(3) Any utility supplying natural gas shall make sufficient tests, or have access to such tests made by its supplier, as to ascertain the heating value.~~

~~(4) Unless the Commission rules otherwise in specific cases, the average for any day shall be determined from the record of a recording calorimeter where such is available, or it shall be taken~~

~~as the average of the results of all tests of heating value made on that day. The average of all such daily averages shall be taken as the monthly average.~~

~~(5) Gas which has been compressed to more than five (5) pounds per square inch shall be tested for heating value after compression, except natural gas.~~

Specific Authority: 366.05 FS.

Law Implemented: 366.05 FS.

History: Repromulgated 1-8-75, 5-4-75, formerly 25-7.68, Repealed

~~25-7.069 Calorimeter Equipment.~~

~~(1) The utility shall maintain or have access to an approved type calorimeter located as specified in Rule 25-7.068(1).~~

~~(2) The utility may use a standard recording calorimeter which shall be maintained in proper working order and shall be subjected to accuracy tests at least three times a year at four month intervals with a standard calorimeter or against a standard gas.~~

~~(3) The calorimeter, method of testing, and accuracy tests shall be subject to inspection and approval of the Commission.~~

Specific Authority: 366.05(1) FS.

Law Implemented: 366.05(3) FS.

History: Repromulgated 1-8-75, 5-4-75, formerly 25-7.69, Repealed

25-7.085 Customer Billing.

(1) Bills shall be rendered monthly. With the exception of a duplicate bill, each customer's bill shall show at least the following information:

(a) The meter reading and the date the meter was read plus the meter reading for the previous period. When an electronic meter is used, the gas volume consumed for the billing month may be shown. If the gas consumption is estimated, the word "estimated" shall prominently appear on the bill.

(b) Therms and cubic feet consumed.

(c) The total dollar amount of the bill, indicating separately:

1. Customer charge.
2. Energy (therm) charge exclusive of fuel cost in cents per therm.
3. Fuel cost in cents per therm (no fuel costs shall be included in the charge for energy).
4. Total gas cost which is the sum of the customer charge, total fuel cost and total energy cost.
5. Franchise fees, if applicable.
6. Taxes, as applicable on purchases of gas by the customer.
7. Any discount or penalty, if applicable.
8. Past due balances.
9. The gross and net billing, if applicable.

(d) Identification of the applicable rate schedule.

(e) The date by which payment must be made in order to benefit from any discount or avoid any penalty, if applicable.

(f) The average daily therm consumption for the current period and for the same period in the previous year, for the same customer at the same location.

(g) The delinquent date or the date after which the bill becomes past due.

(h) Any conversion factors which can be used by customers to convert from meter reading units to billing units.

(i) Where budget billing is used, the bill shall contain the current month's consumption and charges separately from budgeted amounts.

(j) The name of the utility plus the address and telephone number of the local office where the bill can be paid and questions concerning the bill can be answered.

(2) All gas utilities shall charge for gas service on a thermal basis instead of on a volume basis. The provisions governing customer billing on a thermal basis shall be as follows:

(a) The unit of service shall be the "Therm."

(b) The number of therms which shall have been taken by consumer during a given period shall be determined by multiplying the difference in the meter readings in cubic feet at the beginning and end of the period by the conversion factors in (1) (h) including

a heating-value factor which has been determined as prescribed in (c) below.

(c) The heating-value factor for gas utilities receiving and distributing natural gas shall be the average thermal value of the natural gas received and distributed during the preceding month. ~~For manufactured gas utilities the heating value factor shall be the heating value standard which the utility has on file with the Commission, divided by 100,000, provided that during the calendar month nearest coinciding with the billing period the average heating value as determined under Rule 25 7.068(4) is at or above that standard.~~ In case the average heating value during the calendar month has been below the standard, then the value to be used in determining the factor shall be the heating value standard minus a deduction of one percent (1%) for each one percent (1%) or fraction thereof that the average heating value has been below the standard.

(d) The consumer shall be billed to the nearest one-tenth of a therm.

(3) Whenever the period of service for which an initial or opening bill would be rendered is less than the normal billing period, no bill for that period need be rendered if the volume amount consumed is carried over and included in the next regular monthly billing. If, however, a bill for such period is rendered,

the applicable charges, including minimum charges, shall be prorated.

(4) Franchise Fees.

(a) When a municipality charges a utility any franchise fee, the utility may collect that fee only from its customers receiving service within that municipality. When a county charges a utility any franchise fee, the utility may collect that fee only from its customers receiving service within that county.

(b) A company may not incorporate any franchise fee into its other rates for service.

(c) This subsection shall not be construed as granting a municipality or county the authority to charge a franchise fee. This subsection only specifies the method of collection of a franchise fee, if a municipality or county, having authority to do so, charges a franchise fee.

(5) When there is sufficient cause, estimated billings may be used by a utility provided that with the customer's third consecutive estimated billing the customer is informed of the reason for the estimation and whom to contact to obtain an actual meter reading if one is desired. An actual meter reading must be taken at least once every six months. If an estimated bill appears to be abnormal once an actual meter reading is obtained, the bill for the entire estimation period shall be computed at a rate based on use of service during the entire period and the estimated bill

shall be deducted. If there is substantial evidence that such use occurred during only one billing period, the bill shall be computed.

(6) Regular meter reading dates may be advanced or postponed not more than five days without a proration of the billing for the period.

(7) The practices employed by each utility regarding customer billing shall have uniform application to all customers on the same rate schedule.

Specific Authority: 366.05(1) FS.

Law Implemented: 366.05(1), 366.06(1) FS.

History: Amended 12-15-73, Repromulgated 1-8-75, amended 5-4-75, 11-21-82, 12-26-82, formerly 25-7.85, Amended 10-10-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULES: C. Edward Mills,
Division of Electric and Gas.

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

DATE PROPOSED RULES APPROVED: April 16, 1996

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.

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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).