

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rules 25-6.014, F.A.C., Records and Reports in General; 25-6.015, F.A.C., Location and Preservation of Records; 25-6.135, F.A.C., Annual Reports; and 25-6.1351, F.A.C., Cost Allocation and Affiliate Transactions.

DOCKET NO. 030970-EI  
ORDER NO. PSC-04-0507-FOF-EI  
ISSUED: May 18, 2004

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman  
J. TERRY DEASON  
LILA A. JABER  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON

NOTICE OF ADOPTION OF RULE AMENDMENTS

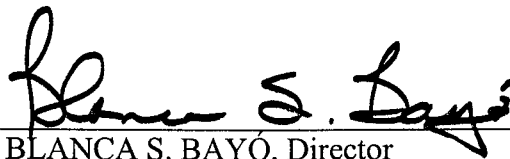
BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted amendments to Rule 25-6.015, Florida Administrative Code, relating to location and preservation of records with changes.

The rule was filed with the Department of State on May 17, 2004 and will be effective on June 6, 2004. A copy of the rule as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission this 18th day of May, 2004.



BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services

(SEAL)

SMC

DOCUMENT NUMBER-DATE

05662 MAY 18 04

FPSC-COMMISSION CLERK

**25-6.015 Location and Preservation of Records.**

(1) All records that a utility is required to keep by reason of these or other rules prescribed by the Commission shall be kept at the office or offices of the utility within this state, unless otherwise authorized by the Commission.

(2) Any utility that keeps its records outside of the state shall reimburse the Commission for the reasonable travel expense incurred by each Commission representative during any review of the out-of-state records of the utility or its affiliates. Reasonable travel expenses are those travel expenses that are equivalent to travel expenses paid by the Commission in the ordinary course of its business.

(a) The utility shall remit reimbursement for out-of-state travel expenses within 30 days from the date the Commission mails the invoice.

(b) The reimbursement requirement in subsection (2) shall be waived:

1. For any utility that makes its out-of-state records available at the utility's office located in Florida or at another mutually agreed upon location in Florida within 10 working days from the Commission's initial request. If 10 working days is not reasonable because of the complexity and nature of the issues involved or the volume and type of material requested, the Commission may establish a different time frame for the utility to bring records into the state. For individual data requests made during an audit, the response time frame in Rule 25-6.0151, Florida Administrative Code, shall control; or

2. For a utility whose records are located within 50 miles of the Florida state line.

(3) All records shall be preserved in accordance with the Federal Energy Regulatory Commission's regulations, Title 18, Subchapter C, Part 125, Code of Federal Regulations, entitled "Preservation of Records of Public Utilities and Licensees" as revised, April 1, 2002 1994, which is hereby incorporated by reference into this rule, with the exception of the records listed in section (3)(a) of this rule. Item 64 (Records of predecessors and former associates) of the Schedule of records and periods of retention contained in Title 18, Subchapter C, Section 125.3, Code of Federal Regulations. Instead, utilities shall retain records listed in section (3)(a) of this rule for the periods indicated. of acquired companies until permission for disposal is petitioned for and approved by the Florida Public Service Commission.

(a) The Code of Federal Regulations items listed below are exceptions to the Schedule of Records and Periods of Retention contained in Title 18, Subchapter C, Section 125.3, Code of Federal Regulations:

1. Item 2(a), minute books of stockholders', directors', and directors' committee meetings, earlier of 20 years or termination of the corporation's existence;
2. Item 6(a)(1), general ledgers, 20 years;
3. Item 6(a)(2), ledgers: subsidiary or auxiliary, 20 years;
4. Item 7, journals: general and subsidiary, 20 years;
5. Item 8(a), journal vouchers and journal entries, 20 years; and
6. Item 20(a), appraisals and valuations made by the company of its properties or investments or of the properties or investments of any associated companies (includes all records essential thereto), 10 years after appraisal.

~~(b)(a)~~ However, all source documents retained as required by Title 18, Subchapter C, Part 125, Code of Federal Regulations shall be maintained in their original form for a minimum of three years, or for any lesser period of time specified for that type of record in Title 18, Subchapter C, Part 125, Code of Federal Regulations, after the date the document was created or received by the utility. This paragraph does not require the utility to create paper copies of documents where the utility would not otherwise do so in the ordinary course of its business. The Commission will ~~may~~ waive the requirement that documents be retained in their original form upon a showing by a utility that it employs a storage and retrieval system that consistently produces clear, readable copies that are substantially equivalent to the originals, and clearly reproduces handwritten notations on documents.

~~(c)(b)~~ The utility shall maintain written procedures governing the conversion of source documents to a storage and retrieval system, which procedures ensure the authenticity of documents and the completeness of records. Records maintained in the storage and retrieval system must be easy to search and easy to read.

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

Law Implemented: 366.05(1), (9), & (11), 366.08, 366.093(1), F.S.

History: Amended 7/29/69, 7/19/72, 1/11/76, 9/28/81, 11/18/82, Formerly 25-6.15, Amended 10/1/86, 11/02/87, 6/23/93, 11/13/95, 06/06/04.