

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Proposed adoption of Rule 25-4.084, F.A.C., Carrier-of-Last-Resort; Multitenant Business and Residential Properties. DOCKET NO. 060554-TL
ORDER NO. PSC-07-0090-FOF-TL
ISSUED: February 1, 2007

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
J. TERRY DEASON
MATTHEW M. CARTER II
KATRINA J. TEW

NOTICE OF ADOPTION OF RULE

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted Rule 25-4.084, Florida Administrative Code, relating to carrier-of-last resort; multitenant business and residential properties, without changes.


The rule was filed with the Department of State on January 31, 2007, and will be effective on February 20, 2007. 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 1st day of February, 2007.

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

By:



Ann Cole, Chief
Bureau of Records

(SEAL)

DES

DOCUMENT NUMBER - DATE
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FPSC-COMMISSION CLERK

25-4.084 Carrier-of-Last-Resort; Multitenant Business and Residential Property.

(1) A petition for waiver of the carrier-of-last-resort obligation to a multitenant business or residential property pursuant to Section 364.025(6)(d), Florida Statutes, shall be filed with the Division of the Commission Clerk and Administrative Services and shall be delivered by hand delivery on the same day, or by overnight mail on the day following filing, upon the relevant owners or developers together with a copy of Section 364.025(6) and this rule.

(2) A petition for waiver of the carrier-of-last-resort obligation shall be limited to a single development.

(3) The petition must include the following:

(a) The name, address, telephone number, electronic mail address, and any facsimile number of the petitioner;

(b) The name, address, telephone number, electronic mail address, and any facsimile number of the attorney or qualified representative of the petitioner if any;

(c) The address or other specific description of the property for which the waiver is requested;

(d) The specific facts and circumstances that demonstrate good cause for the waiver as required by Section 364.025(6)(d);

(e) A statement that interested persons have 14 calendar days from the date the petition is received to file a response to the petition with the Commission, unless the fourteenth day falls on a Saturday, Sunday, or holiday, in which case the response must be filed no later than the next working day; and

(f) A statement certifying that delivery of the petition has been made on the relevant owners or developers and the method of delivery.

(4) A response to a petition must include the following:

(a) The name, address, telephone number, electronic mail address, and any facsimile number of the respondent;

(b) The name, address, telephone number, electronic mail address, and any facsimile number of the attorney or qualified representative of the respondent if any upon whom service of pleadings and other papers shall be made; and

(c) Whether the respondent disputes the facts and circumstances alleged in the petition.

Specific Authority 350.127(2) FS.

Law Implemented 364.025 FS.

History–New.