

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-6.0183,
F.A.C., Electric Utility Procedures for
Generating Capacity Shortage Emergencies.

DOCKET NO. 170022-EI
ORDER NO. PSC-17-0086-NOR-EI
ISSUED: March 9, 2017

The following Commissioners participated in the disposition of this matter:

JULIE I. BROWN, Chairman
ART GRAHAM
RONALD A. BRISÉ
JIMMY PATRONIS
DONALD J. POLMANN

NOTICE OF RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has proposed the amendment of Rule 25-6.0183, Florida Administrative Code, relating to the incorporation by reference into the rule of the December 15, 2016 Florida Reliability Coordinating Council's Generating Capacity Shortage Plan. The rule informs the Florida Emergency Operations Center and electric utilities of the Plan.

The attached Notice of Proposed Rule appeared in the March 9, 2017, edition of the Florida Administrative Register.

Written requests for hearing and written comments on the rule must be received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than March 30, 2017.

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By ORDER of the Florida Public Service Commission this 9th day of March, 2017.



CARLOTTA S. STAUFFER
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-6.0183 Electric Utility Procedures for Generating Capacity Shortage Emergencies

PURPOSE AND EFFECT: To update the rule so that the December 15, 2016 Florida Reliability Coordinating Council's Generating Capacity Shortage Plan is incorporated by reference into the rule.

Docket No. 170022-EI

SUMMARY: The rule informs the Florida Emergency Operations Center and electric utilities of the Generating Capacity Shortage Plan. The Plan establishes guidelines and procedures to be utilized by electric utilities and governmental agencies in response to generating capacity shortages.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule amendment will not have an adverse impact on economic growth, business competitiveness, or small business and is not anticipated to result in significant transactional costs. Additional transactional costs that may result from the amendment are likely to be de minimis.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

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

RULEMAKING AUTHORITY: 350.127(2), 366.05, FS.

LAW IMPLEMENTED: 366.04(2)(c), (f), (5), FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela H. Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, phpage@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.0183 Electric Utility Procedures for Generating Capacity Shortage Emergencies.

The Commission adopts the Florida Reliability Coordinating Council's Generating Capacity Shortage Plan, [dated December 15, 2016 July 2007](#), which is hereby incorporated by reference into this rule and may be accessed at [\[Dep't. of State hyperlink\]](#) as the Commission's plan to address generating capacity shortage emergencies within Florida. ~~A copy of the Generating Capacity Shortage Plan may be obtained from the Director, Division of Engineering, Florida Public Service Commission.~~

Rulemaking Authority 350.127(2), 366.05 FS. Law Implemented 366.04(2)(c), (f), (5) FS. History—New 2-12-91, Amended 3-19-98, 4-27-03, 5-1-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick Moses.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 42, Number 223, November 16, 2016.