

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 911130-EI

RULE TITLE:

RULE NO.:

Regulatory Assessment Fees; Investor-owned  
Electric Companies, Municipal Electric  
Utilities, Rural Electric Cooperatives

25-6.0131

PURPOSE AND EFFECT: This rule sets the regulatory assessment fee paid by investor-owned electric companies, as provided by Section 350.113, Florida Statutes. The rule is being amended because the current fee produces more revenue than is necessary to meet the cost of regulating these utilities.

SUMMARY: 350.113

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT OF THIS RULE:

The decrease in the regulatory investment fee will contribute to operating income for each investor-owned electric utility and will benefit shareholders in the short run. The fee decrease should not change the Public Service Commission's workload nor will it impact costs.

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

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RECEIVED

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  - SEC 1 \_\_\_\_\_
  - WAS \_\_\_\_\_
  - OTH \_\_\_\_\_
- 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. 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: 9:30 A.M., Thursday, February 6, 1992
- PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

DOCUMENT NUMBER-DATE

12527 DEC 19 1991

FPSC-RECORDS/REPORTING

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-6.0131 Regulatory Assessment Fees; Investor-owned Electric Companies, Municipal Electric Utilities, Rural Electric Cooperatives.

(1) As applicable and as provided in s. 350.113, F.S. (1985), each company, utility, or cooperative shall remit to the Commission a fee based upon its gross operating revenue. This fee shall be referred to as a regulatory assessment fee.

Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$25 shall be imposed.

(a) On January 30, 1992, e[E]ach investor-owned electric company shall pay a regulatory assessment fee in the amount of 0.05 [one-eighth of one] percent of gross operating revenues derived from intrastate business, excluding sales for resale between public utilities, municipal electric utilities and rural electric cooperatives or any combination thereof. Beginning on July 30, 1992 and continuing thereafter, each investor-owned electric company shall pay a regulatory assessment fee in the amount of 0.08330 percent of gross operating revenues derived from intrastate business, excluding sales for resale between public utilities, municipal electric utilities and rural electric cooperatives or any combination thereof.

(b) Each municipal electric utility and rural electric cooperative shall pay a regulatory assessment fee in the amount of one-sixty-fourth of one percent of its gross operating revenues derived from intrastate business, excluding sales for resale between public utilities, municipal electric utilities and rural cooperatives or any combination thereof.

(2) Regulatory assessment fees are due each January 30 for the preceding period or any part of the period from July 1 until December 31, and on July 30 for the preceding period or any part of the period from January 1 until June 30. Each company, utility, or cooperative shall have up to and including the due date in which to:

(a) Remit the total amount of its fee, or

(b) Remit an amount which the company, utility, or cooperative estimates is its full fee, or

(c) Seek and receive from the Commission a 30-day extension of its due date.

(3) Where the company, utility, or cooperative remits less than its full fee pursuant to subsection (2)(b) of this Rule, the remainder of the full fee shall be due on or before the 30th day from the due date and shall, where the amount remitted was less than 90% of the total regulatory assessment fee, include interest as provided by subsection (5)(b) of this Rule.

(4) Where a company, utility, or cooperative receives a 30-day extension of its due date pursuant to subsection (2)(c) of



this rule, then the entity shall remit a charge in addition to the regulatory assessment fee, as set out in s. 350.113(5), F.S. (1985).

(5) The delinquency of any amount due to the Commission from the company, utility, or cooperative pursuant to the provisions of s. 350.113, F.S. (1985) and this rule, begins with the first day after any date established as the due date either by operation of this rule or by an extension pursuant to this rule.

(a) A penalty, as set out in s. 350.113, F.S. (1985) shall apply to any such delinquent amounts.

(b) Interest at the rate of 12% per annum shall apply to any such delinquent amounts.

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

Law Implemented: 350.113, F.S.

History: New 5/18/83, Amended 2/9/84, formerly 25-6.131, Amended 6/18/86, 10/16/86, 3/7/89, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Evelyn Sewell,  
Division of Administration

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

DATE PROPOSED RULE APPROVED: December 17, 1991

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.