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DIVISION OF APPEALS  
DAVID E. SMITH  
DIRECTOR  
(904) 413-6245

ORIGINAL  
FILE COPY

# Public Service Commission

February 28, 1997

Mr. Carroll Webb  
Joint Administrative Procedures  
Committee  
120 Holland Building  
Tallahassee, Florida 32399

Re: Docket No. 960911-EI - Proposed Repeal of 25-6.001,  
Authorization of Rules; 25-6.017, Operating Records; 25-  
6.023, Customer Account Records; 25-6.051, Rental Charge For  
Meters; 25-6.063, Temporary Service; 25-6.096, Termination  
of Service by Customer; and 25-6.083, Special Conditions

Dear Mr. Webb:

Enclosed are an original and two copies of the following  
materials concerning the above referenced proposed rules:

1. A copy of the rules.
2. A copy of the F.A.W. notice.
3. A statement of facts and circumstances justifying the proposed rules.
4. A federal standards statement.
5. A statement of estimated regulatory costs.

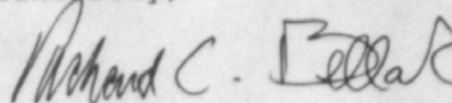
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Mr. Carroll Webb  
February 28, 1997  
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If there are any questions with respect to these rules,  
please do not hesitate to call on me.

Sincerely,



Richard C. Bellak  
Associate General Counsel

ADM6001.MRD

Enclosures

cc: Division of Records & Reporting

1 25-6.001 Authorization of Rules. The statutory power granted  
2 to the Florida Public Service Commission to establish rules and fix  
3 standards for electric utility service is contained in Sub-section  
4 (1) of Section 366.05, Florida Statutes, which states as follows:

5 "In the exercise of such jurisdiction, the Commission shall  
6 have power to prescribe fair and reasonable rates and charges,  
7 classifications, standards of quality and measurements, and service  
8 rules and regulations to be observed by each public utility, to  
9 prescribe uniform system and classification of accounts for all  
10 public utilities which, among other things, shall set up adequate,  
11 fair and reasonable depreciation rates and charges, to require the  
12 filing by each public utility of periodic reports and all other  
13 reasonably necessary data; to require repairs, improvements,  
14 additions, and extensions to plant and equipment of any public  
15 utility reasonably necessary to promote the convenience and welfare  
16 of the public and secure adequate services or facilities for those  
17 reasonably entitled thereto; employ and fix the compensation for  
18 such examiners and technical, legal, and clerical employees as it  
19 deems necessary to carry out the provisions of this Chapter, to  
20 prescribe all rules and regulations reasonably necessary and  
21 appropriate for the administration and enforcement of this Chapter,  
22 and to exercise all judicial powers, issue all writs, and do all  
23 things necessary or convenient to the full and complete exercise of  
24 its jurisdiction and the enforcement of its order and  
25 requirements."

CODING: Words underlined are additions; words in  
~~struck-through~~ type are deletions from existing law.

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

2 Law Implemented: 366.05(1), F.S.

3 History: New 7/29/69, formerly 25-6.01, Repealed.

4 25-6.017 Operating Records. As required by the Commission,  
5 each utility shall keep appropriate operating records and such  
6 other details of plant operation as may be necessary to  
7 substantially reproduce its operations for use in statistical and  
8 analytical studies for regulatory purposes.

9 Specific Authority: 366.05(1), F.S.

10 Law Implemented: 366.05(1), F.S.

11 History: New 7/29/69, formerly 25-6.17, Repealed.

12 25-6.023 Customer Account Records.

13 (1) Each utility shall keep a record of each customer's  
14 account in such manner as will permit period occurring with the  
15 period required to comply with Rule 25-6.015(3).

16 (2) Each utility having on hand deposits from customers shall  
17 keep records to show:

18 (a) The name of each customer making such deposit.

19 (b) The service premises for which the deposit is applicable.

20 (c) The amount and date of making such deposit.

21 (d) A record of the latest transaction concerning such  
22 deposit, and all transactions within the period to comply with Rule  
23 25-6.015(3).

24 Specific Authority: 366.05(1), F.S.

25 Law Implemented: 366.05(1), F.S.

CODING: Words underlined are additions; words in  
~~struck-through~~ type are deletions from existing law.

1 | History: New 7/29/69, formerly 25-6.23, Repealed .

2 |       25-6.051 Rental Charge for Meters. The utility may charge a  
3 | meter rental for extra meters installed for the customer's use or  
4 | convenience, provided that the rental charge shall be set forth in  
5 | the utility's tariffs filed with the Commission.

6 | Specific Authority: 366.05(1), F.S.

7 | Law Implemented: 366.05(1), F.S.

8 | History: Amended 7/29/69, formerly 25-6.51, Repealed .

9 |       25-6.063 Temporary Service. In the case of temporary service  
10 | for short-term use, the utility may require the customer to pay all  
11 | costs of making the service connection and removing the material  
12 | after service has been discontinued, or to pay a fixed amount in  
13 | advance to cover such expense provided, however, that the customer  
14 | shall be credited with reasonable salvage realized by the utility  
15 | when service is terminated.

16 | Specific Authority: 366.05(1), F.S.

17 | Law Implemented: 366.05(1), F.S.

18 | History: 7/29/69, formerly 25-6.63, Repealed .

19 |       25-6.083 Special Conditions. When the application of these  
20 | rules appears impracticable or unjust to either party, or  
21 | discriminatory to other customers, the utility or applicant shall  
22 | refer the matter to the Commission for special ruling or for the  
23 | approval of special conditions which may be mutually agreed upon  
24 | prior to commencing construction.

25 | Specific Authority 366.05(1), F.S.

CODING: Words underlined are additions; words in  
~~struck through~~ type are deletions from existing law.

1 | Law Implemented: 366.03, F.S.

2 | History: New 4/10/71, formerly 25-6.83, Repealed.

3 |       25-6.096 Termination of Service by Customer. Any customer  
4 | may be required to give reasonable notice of his intention to  
5 | discontinue service. Until the utility is notified, the customer  
6 | may be held responsible for all energy used on the premises.

7 | Specific Authority: 366.05(1), F.S.

8 | Law Implemented: 366.05(1), F.S.

9 | History: New 7/29/69, formerly 25-6.96, Repealed.

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CODING: Words underlined are additions; words in  
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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 960911-EI

RULE TITLE:	RULE NO.:
Authorization of Rules	25-6.001
Operating Records	25-6.017
Customer Account Records	25-6.023
Rental Charge for Meters	25-6.051
Temporary Service	25-6.063
Termination of Service by Customer	25-6.096
Special Conditions	25-6.083

PURPOSE AND EFFECT: The purpose and effect of this rule repeal is to repeal obsolete or redundant rules.

SUMMARY: Rules concerning the following are repealed: 25-6.001, Authorization of Rules; 25-6.017, Operating Records; 25-6.023, Customer Account Records; 25-6.051, Rental Charge for Meters; 25-6.063, Temporary Service; 25-6.096, Termination of Service by Customer; 25-6.083, Special Conditions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The listed rules are duplicative except for 25-6.096, which is unnecessary. Therefore, repeal of these rules entails no costs to IOU's, small business, small counties, small cities or the Commission.

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

SPECIFIC AUTHORITY: 366.05(1) FS.

LAW IMPLEMENTED: 366.05(1) FS.

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 TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., April 2, 1997

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULES ARE:

Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862.

THE FULL TEXT OF THESE PROPOSED RULES ARE:

25-6.001 Authorization of Rules.

Specific Authority: 366.05(1) FS.

Law Implemented: 366.05(1) FS.

History: New 7/29/69, formerly 25-6.01, Repealed.

25-6.017 Operating Records.

Specific Authority: 366.05(1) FS.

Law Implemented: 366.05(1) FS.

History: New 7/29/69, formerly 25-6.17, Repealed.

25-6.023 Customer Account Records.

Specific Authority: 366.05(1) FS.



Law Implemented: 366.05(1) FS.

History: New 7/29/69, formerly 25-6.23, Repealed.

25-6.051 Rental Charge for Meters.

Specific Authority: 366.05(1) FS.

Law Implemented: 366.05(1) FS.

History: Amended 7/29/69, formerly 25-6.51, Repealed.

25-6.063 Temporary Service.

Specific Authority: 366.05(1) FS.

Law Implemented: 366.05(1) FS.

History: 7/29/69, formerly 25-6.63, Repealed.

25-6.083 Special Conditions.

Specific Authority: 366.05(1) FS.

Law Implemented: 366.03 FS.

History: New 4/10/71, formerly 25-6.83, Repealed.

25-6.096 Termination of Service by Customer.

Specific Authority: 366.05(1) FS.

Law Implemented: 366.05(1) FS.

History: New 7/29/69, formerly 25-6.96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULES: Connie Kummer

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULES:

Florida Public Service Commission.

DATE PROPOSED RULES APPROVED: February 4, 1997

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

December 6, 1996

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).

MEMORANDUM

October 1, 1996

TO: DIVISION OF APPEALS (BELLAK)  
FROM: DIVISION OF RESEARCH AND REGULATORY REVIEW (HEWITT) *BSH RD*  
SUBJECT: STATEMENT OF ESTIMATED REGULATORY COSTS FOR DOCKET NO. 960911-EI, PROPOSED REPEAL OF RULES 25-6.001, AUTHORIZATION OF RULES: 25-6.017, OPERATING RECORDS: 25-6.023, CUSTOMER ACCOUNT RECORDS: 25-6.051, RENTAL CHARGES FOR METERS: 25-6.063, TEMPORARY SERVICE: 25-6.083, SPECIAL CONDITIONS: AND 25-6.096, TERMINATION OF SERVICE BY CUSTOMER, FAC

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SUMMARY OF THE RULE

Currently, Rule 25-6.001, FAC, reiterates language in s. 366.05, Florida Statutes, which allows the Commission to adopt rules to govern electric utilities. The proposed repeal would not affect the Commission's authority to adopt rules because the rule is duplicative of statutory language and adds nothing to the wording in the statutes.

Rule 25-6.017, FAC, requires utilities to maintain sufficient records to respond to Commission inquiries on operations. Because the current rule is duplicative of statutory language, the proposed repeal would not relieve utilities' responsibility for responding to COMMISSION inquiries.

Rule 25-6.023, FAC, which requires utilities to keep records on customer accounts and records of deposits, is duplicative of the requirements in Rules 25-6.015, 25-6.095, 25-6.097, FAC. Therefore, the proposed repeal would not relieve utilities of the duty to keep records.

Rules 25-6.051 and 25-6.063, FAC, provide the terms and conditions for utilities to charge for temporary service and additional meters installed for customer convenience. The specific charges and conditions for these services are found in the utility tariffs. Consequently, the proposed repeal of these rules will not affect a utility's ability to request tariff approval to charge for these types of services.

Rule 25-6.083, FAC, allows customers to appeal utility construction practices to the Commission. The rule is duplicative of Rule 25-22.032, FAC, which outlines procedures for customers to file complaints with the Commission regarding disputes with utility companies.

Rule 25-6.096, FAC, requires that a customer give reasonable notice of intent to discontinue service and provides that the customer is responsible for all energy used on the premises until the utility is notified. The proposed repeal would eliminate an unnecessary rule.

ESTIMATED NUMBER AND DESCRIPTION OF INDIVIDUALS AND ENTITIES REQUIRED TO COMPLY

There are five Electric Investor Owned Utilities (IOUs) in Florida which are regulated by the Commission and subject to the proposed revisions to Section 25-6, FAC.

DIRECT COSTS TO THE AGENCY AND OTHER STATE OR LOCAL GOVERNMENT ENTITIES

There should be no additional costs to the Commission other than the regulatory costs of repealing a rule.

ESTIMATED TRANSACTIONAL COSTS TO INDIVIDUALS AND ENTITIES REQUIRED TO COMPLY

The IOUs should not incur additional costs from the repeal of the above rules because the provisions are duplicative of other rules and statutes.

IMPACT ON SMALL BUSINESSES, SMALL COUNTIES, OR SMALL CITIES

No direct or indirect impact on small businesses is foreseen as none of the affected utilities qualify as a small business as defined by s. 288.703, F.S. No direct or indirect impact is foreseen on small counties and cities as defined in Section 120.52, F.S. Therefore, there would be no need for tiered rule requirements.

REASONABLE ALTERNATIVE METHODS

The only alternative would be to leave the unnecessary and duplicative rules on the books, but that would be contrary to statutory requirements to repeal such rules.

CBH:tf/e-eirepl

Rules 25-6.001, 25-6.017,  
25-6.023, 25-6.051, 25-  
6.063, 25-6.096, 25-6.083  
Docket No. 960911-EI

**STATEMENT OF FACTS AND CIRCUMSTANCES  
JUSTIFYING RULE**

The rules being repealed are either obsolete, redundant or unnecessary.

**STATEMENT ON FEDERAL STANDARDS**

There is no federal standard on the same subject.