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CERTIFICATION OF
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES
FILED WITH THE
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

(a) Are filed not more than 90 days after the notice;

ACK _____ or

AFA _____ (b) Are filed not more than 90 days after the notice

APP _____ not including days an administrative determination was pending;

CAF _____

CMU _____ or

CTR _____

EAG _____ (c) Are filed more than 90 days after the notice, but

LEG _____ not less than 21 days from the date of publication of the notice

LIN _____ of change; or

OPC _____

RCH _____

SEC /

WAS _____

OTH _____

DOCUMENT NUMBER DATE

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∟/ (d) Are filed more than 90 days after the notice, but within 21 days after the adjournment of the final public hearing on the rule; or

∟/ (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

∟/ (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

∟/ (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No(s).

25-6.049

Under the provision of subparagraph 120.54(3)(e)6., F.S.,
the rules take effect 20 days from the date filed with the
Department of State or a later date as set out below:

Effective: _____
(month) (day) (year)

Kay Flynn for
BLANCA S. BAYO, Director
Division of Records & Reporting

Number of Pages Certified

(S E A L)

RCB

1 25-6.049 Measuring Customer Service.

2 (1) All energy sold to customers, ~~except that sold under flat~~
3 ~~rate schedule,~~ shall be measured by commercially acceptable
4 measuring devices owned and maintained by the utility, except where
5 it is impractical to meter loads, such as street lighting,
6 temporary or special installations, in which case the consumption
7 may be calculated, or billed on demand or connected load rate or as
8 provided in the utility's filed tariff.

9 (2) When there is more than one meter at a location the
10 metering equipment shall be so tagged or plainly marked as to
11 indicate the circuit metered. Where similar types of meters record
12 different quantities, (kilowatt-hours and reactive power, for
13 example), metering equipment shall be tagged or plainly marked to
14 indicate what the meters are recording.

15 (3) Meters which are not direct reading shall have the
16 multiplier plainly marked on the meter. All charts taken from
17 recording meters shall be marked with the date of the record, the
18 meter number, customer, and chart multiplier. The register ratio
19 shall be marked on all meter registers. The watt-hour constant for
20 the meter itself shall be placed on all watt-hour meters.

21 (4) Metering equipment shall not be set "fast" or "slow" to
22 compensate for supply transformer or line losses.

23 (5) (a) Individual electric metering by the utility shall be
24 required for each separate occupancy unit of new commercial
25 establishments, residential buildings, condominiums, cooperatives,

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1 | marinas, and trailer, mobile home and recreational vehicle parks
2 | for which construction is commenced after January 1, 1981. ~~This~~
3 | ~~requirement shall apply whether or not the facility is engaged in~~
4 | ~~a time sharing plan.~~ Individual electric meters shall not,
5 | however, be required:

6 | 1. In those portions of a commercial establishment where the
7 | floor space dimensions or physical configuration of the units
8 | are subject to alteration, as evidenced by non-structural
9 | element partition walls, unless the utility determines that
10 | adequate provisions can be made to modify the metering to
11 | accurately reflect such alterations;

12 | 2. For electricity used in central heating, ventilating and
13 | air conditioning systems, or electric back up service to
14 | storage heating and cooling systems;

15 | 3. For electricity used in specialized-use housing
16 | accommodations such as hospitals, nursing homes, living
17 | facilities located on the same premises as, and operated in
18 | conjunction with, a nursing home or other health care facility
19 | providing at least the same level and types of services as a
20 | nursing home, convalescent homes, facilities certificated
21 | under Chapter 651, Florida Statutes, college dormitories,
22 | convents, sorority houses, fraternity houses, motels, hotels,
23 | and similar facilities;

24 | 4. For separate, specially-designated areas for overnight
25 | occupancy at trailer, mobile home and recreational vehicle

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1 parks and marinas where permanent residency is not
2 established, ~~and for marinas where living aboard is prohibited~~
3 ~~by ordinance, deed restriction, or other permanent means.~~

4 5. For new and existing time-share plans, provided that all
5 of the occupancy units which are served by the master meter or
6 meters are committed to a time-share plan as defined in
7 Section 721, Florida Statutes, and none of the occupancy units
8 are used for permanent occupancy. When a time-share plan is
9 converted from individual metering to master metering, the
10 customer must reimburse the utility for the costs incurred by
11 the utility for the conversion. These costs shall include,
12 but not be limited to, the undepreciated cost of any existing
13 distribution equipment which is removed or transferred to the
14 ownership of the customer, plus the cost of removal or
15 relocation of any distribution equipment, less the salvage
16 value of any removed equipment.

17 (b) For purposes of this rule:

18 1. "Occupancy unit" means that portion of any commercial
19 establishment, single and multi-unit residential building, or
20 trailer, mobile home or recreational vehicle park, or marina
21 which is set apart from the rest of such facility by clearly
22 determinable boundaries as described in the rental, lease, or
23 ownership agreement for such unit.

24 ~~2. "Time sharing plan" means any arrangement, plan, scheme,~~
25 ~~or similar device, whether by membership, agreement, tenancy~~

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1 | ~~in common, sale, lease, deed, rental agreement, license, or~~
2 | ~~right to use agreement or by any other means, whereby a~~
3 | ~~purchaser, in exchange for a consideration, receives a right~~
4 | ~~to use accommodations or facilities, or both, for a specific~~
5 | ~~period of time less than a full year during any given year,~~
6 | ~~but not necessarily for consecutive years, and which extends~~
7 | ~~for a period of more than three years.~~

8 | 2.3- The construction of a new commercial establishment,
9 | residential building, marina, or trailer, mobile home or
10 | recreational vehicle park shall be deemed to commence on the
11 | date when the building structure permit is issued.

12 | ~~4. The individual metering requirement is waived for any~~
13 | ~~time sharing facility for which construction was commenced~~
14 | ~~before December 23, 1982, in which separate occupancy units~~
15 | ~~were not metered in accordance with subsection (5)(a).~~

16 | 3.5- "Overnight Occupancy" means use of an occupancy unit for
17 | a short term such as per day or per week where permanent
18 | residency is not established.

19 | 4.6- The term "cost", as used herein means only those charges
20 | specifically authorized by the electric utility's tariff,
21 | including but not limited to the customer, energy, demand,
22 | fuel, and conservation charges made by the electric utility
23 | plus applicable taxes and fees to the customer of record
24 | responsible for the master meter payments. The term does not
25 | include late payment charges, returned check charges, the cost

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1 of the distribution system behind the master meter, the cost
2 of billing, and other such costs.

3 (a) Where individual metering is not required under
4 Subsection (5)(a) and master metering is used in lieu thereof,
5 reasonable apportionment methods, including sub-metering may be
6 used by the customer of record or the owner of such facility solely
7 for the purpose of allocating the cost of the electricity billed by
8 the utility.

9 (b) Any fees or charges collected by a customer of record for
10 electricity billed to the customer's account by the utility,
11 whether based on the use of sub-metering or any other allocation
12 method, shall be determined in a manner which reimburses the
13 customer of record for no more than the customer's actual cost of
14 electricity.

15 ~~5.7~~ Each utility shall develop a standard policy governing
16 the provisions of sub-metering as provided for herein. Such policy
17 shall be filed by each utility as part of its tariffs. The policy
18 shall have uniform application and shall be nondiscriminatory.

19 Specific Authority 366.05(1) FS.

20 Law Implemented 366.05(3) FS.

21 History--Amended 7-29-69, 11-26-80, 12-23-82, 12-28-83, Formerly
22 25-6.49, Amended 7-14-87, 10-5-88, _____.

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SUMMARY OF RULE

25-6.049(1): The phrase "except that sold under flat rate schedule" is deleted.

25-6.049(5) (a): The sentence, "This requirement shall apply whether or not the facility is engaged in a time sharing plan" is deleted.

25-6.049(5) (a) (4): The phrase "and marinas" is added. The phrase "and for marinas where living aboard is prohibited by ordinance, deed restriction, or other permanent means" is deleted.

25-6.049(5) (a) (5): Adds new language excepting time shares from individual metering requirements, and provides for reimbursement by the customer to the utility for costs of conversion to master metering.

25-6.049(5) (b) 2 and 3: Consistent with the exception just described, these subsections concerning time-shares are deleted and the remaining paragraphs are re-numbered.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Time shares should be excepted from the rule requiring individual metering of apartment units because the brief period of time any individual time-share participant stays in the unit

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would make the conservation goals justifying individual metering irrelevant. The commercial rate applicable to master metering is believed to be appropriate to time shares, because they are more like hotels than residences in their usage patterns.