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Public Service Commission

April 8, 2005

Mr. Scott Boyd, Executive Director
Joint Administrative Procedures
Committee
Room 120 Holland Building
Tallahassee, Florida 32399-1300

Re: Docket No. 991473-TP – Rule 25-4.085

Dear Mr. Boyd:

Enclosed is the notice of change, which will be published in the Florida Administrative Weekly on April 22, 2005, and the statement of changes for the proposed Rule 25-4.085.

We plan to file the rule for adoption on May 13, 2005.

Sincerely,

Marlene K. Stern

Marlene K. Stern
Associate General Counsel

- CMP _____
- COM _____ 991473 JAPC changes.mks.doc
- CTR _____ Enclosure
- ECR _____ cc: Division of the Commission Clerk
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- GCL _____
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FLORIDA PUBLIC SERVICE COMMISSION

OFFICE OF THE GENERAL COUNSEL

DOCKET NO. 991473-TP

RULE NO: RULE TITLE:
25-4.085 Service Guarantee Program

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Volume 30, No. 52, December 23, 2004, issue of the Florida Administrative Weekly:

25-4.085 Service Guarantee Program

A company may petition the Commission for approval of a Service Guarantee Program, which would relieve the company from the rule requirement of each service standard addressed in the approved Service Guarantee Program. When evaluating a Service Guarantee Program for approval, the Commission will consider the Program's benefits to the public and the public's interests. The Commission shall have the right to enforce the provisions of the Service Guarantee Plan.

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

Law Implemented: 364.01, 364.01(4), 364.03, 364.035, 364.036, 364.386, F.S.

History: New.

STATEMENT OF CHANGES

By letter dated January 21, 2005, Chief Counsel for the Joint Administrative Procedures Committee informed staff of the Florida Public Service Commission that proposed rule 25-4.085, Florida Administrative Code, should be revised to disclose criteria by which Service Guarantee Programs should be approved. The Commission added a sentence to the rule disclosing such criteria. The rule now provides that the Commission will consider benefits to customers and the public interest when evaluating Service Guarantee Programs. The rule text is provided below and the added language is highlighted.

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A company may petition the Commission for approval of a Service Guarantee Program, which would relieve the company from the rule requirement of each service standard addressed in the approved Service Guarantee Program. When evaluating a Service Guarantee Program for approval, the Commission will consider the program's benefits to the customer and the public interest. The Commission shall have the right to enforce the provisions of the Service Guarantee Plan.

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

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History: New.