

DOCKET NO. 080159-TP

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

I do hereby certify:

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

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

/x/ (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;

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

// (b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

// (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

// (d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

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// (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; or

// (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

// (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

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.

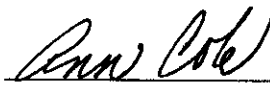
Rule No.

25-14.001

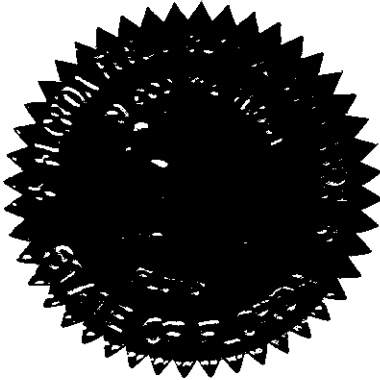
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Under the provision of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_  
(month) (day) (year)



\_\_\_\_\_  
ANN COLE  
Commission Clerk



\_\_\_\_\_  
Number of Pages Certified

CM

1 **25-14.001 In General.**

2 The Commission is responsible for the setting of reasonable rates and charges of numerous  
3 utility companies. In determining reasonable charges to be paid by the customers of these  
4 companies, the Commission promulgates policy determinations affecting all companies  
5 subject to its jurisdiction. This chapter has been established to identify policy determinations  
6 affecting the rates, charges and tariffs of all companies subject to our rate-setting jurisdiction.  
7 ~~Except as provided by Parts X through XIV, Chapter 25-24, F.A.C.,~~ The provisions of this  
8 chapter shall not apply to Interexchange Companies, Pay Telephone Service Companies,  
9 Shared Tenant Service Companies, Operator Service Provider Companies, or Alternative  
10 Access Vendor Service Providers, Competitive Local Exchange Companies or Price  
11 Regulated Local Exchange Companies.

12 Specific Authority 350.127(2), 366.05(1), 367.121 FS.

13 Law Implemented 364.03, 364.05, 364.337, 366.04, 366.041, 366.05, 367.121 FS.

14 History-- New 7-25-73, Formerly 25-14.01, Amended 2-23-87, 1-8-95.

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

### SUMMARY OF RULE

The revision would clarify that Chapter 14 does not apply to certain telecommunications companies. The rule amendment is not intended to impact in any way wholesale service or the SEEM (Self-Effectuating Enforcement Mechanism) plan, the SEEM metrics or payments or the type of data that must be collected and analyzed for purposes of the SEEM plan.

### SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

### FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Rule 25-14.001, In General, is amended to clarify that the rule only applies to rate-of-return regulated companies. Pursuant to law enacted in 1995, local exchange telecommunications companies were given the option to elect price cap regulation. Companies that opt for price cap regulation are exempt from Commission rules pertaining to rate-of-return regulation. However, a number of Commission rules do not expressly indicate that they apply only to rate-of-return regulated companies.

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