

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: March 28, 2013

TO: Office of Commission Clerk (Cole)

FROM: Office of the General Counsel (Miller) *CM S.M.C.*
Division of Economics (Daniel, Hudson, McNulty) *PD J.W.D. wan*

RE: Docket No. 120246-WS – Revision to Rule 25-30.335, Customer Billing, Revision to Rule 25-30.350, Backbilling, Adoption of Rule 25-30.351, Unauthorized Use, F.A.C.

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COMMISSION CLERK

AGENDA: 04/09/13 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Brown

RULE STATUS: Rule proposal may be deferred.

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\GCL\WP\120246.RCM.DOC

Case Background

Rule 25-30.355, Florida Administrative Code (F.A.C.), addresses customer billings for water and wastewater companies. Rule 25-30.350, F.A.C., addresses underbillings and overbillings for water and wastewater companies. New rule 25-30.351, F.A.C., addresses unauthorized use of water and wastewater service. In our continuing review of rules, staff thought it important to clarify existing practices by revising two existing rules and recommending a new rule. In addition, the Office of Public Counsel (OPC) suggested several additions relating to estimated bills in Rule 25-30.335, F.A.C.

A Notice of Rule Development appeared in the March 2, 2012 edition of the Florida Administrative Register, and a rule development workshop was held May 10, 2012. The OPC

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and Aqua Utilities Florida, Inc. (AUF) participated at the workshop. After receiving additional e-mail comments on the rules, staff held a second rule development workshop on February 28, 2013. The OPC and U.S. Water Services Corporation (U.S. Water) participated at the second workshop and utility owner, Mr. Mike Smallridge, although unable to attend the workshop, submitted written comments on the draft rules.

This recommendation addresses whether the Commission should propose the amendment of Rule 25-30.335, F.A.C., Customer Billing, and Rule 25-30-350, F.A.C., Backbilling, and the adoption of Rule 25-30.351, F.A.C., Unauthorized Use. The Commission has jurisdiction pursuant to Section 120.541, Florida Statutes (F.S.).

Discussion of Issues

Issue 1: Should the Commission propose the amendment of Rule 25-30.335, F.A.C., Customer Billing, and Rule 25-30.350, F.A.C., Backbilling, and the adoption of Rule 25-30.351, F.A.C., Unauthorized Use?

Recommendation: Yes. The Commission should propose the amendment of Rules 25-30.335 and 25-30.350 and the adoption of Rule 25-30.351, as set forth in Attachment A. (Miller, Daniel)

Staff Analysis:

Rule 25-30.335, F.A.C., Customer Billing

Staff is recommending amendments to Rule 25-30.335, F.A.C., as set forth in Attachment A. During the rule development workshops, OPC and the industry suggested amendments to this rule to address concerns about estimated bills. Staff recommended amendments to Rule 25-30.335, F.A.C., are designed to address such concerns.

Subsection (2)(a) is amended to state that estimated bills may be provided when a utility is unable to obtain an actual meter reading and the bill must prominently show the word "Estimated" on the face of the bill. Mr. Smallridge suggested that the language expressly allow for stamping or hand writing the word "Estimated" on the bill. His concern is about the cost of re-programing to add the word "Estimated." However, staff believes that the draft rule language would allow for the stamping or handwriting of the word "Estimated" on the bill, and, thus, it is not necessary to expressly state this in the rule.

Subsection (2)(b) is amended to require that the utility must timely correct any problem within the utility's control causing the need to estimate bills. In no event, shall a utility provide an estimated bill to any one customer more than four times in any 12-month period due to circumstances within the utility's control. This provision is intended to discourage the use of estimated bills. Customers have a more difficult time budgeting to pay water bills when there are frequent estimated bills. There was general agreement with this requirement.

Subsection (2)(c) requires, upon issuance of a second estimated bill in a 6-month period, the utility must provide the customer with an explicit written explanation of the reason for the estimate, along with the utility contact information and the Commission toll-free complaint number. OPC suggested this concept and staff agrees. This requirement will enable customers to contact the utility or the Commission if they have any questions about the estimation. It was suggested to add the word "consecutive" in front of "second estimated bill." OPC responded that a company could game this by using estimated bills every other month to avoid the requirement. Staff agrees, and, thus is not recommending that the word "consecutive" be in the rule language.

Subsection (2)(d) requires the utility to maintain records, for a minimum of two years, detailing the number, frequency, and causes of estimated bills, which shall be made available upon request to the Commission or to any party to a rate proceeding for the utility. OPC

recommended this concept and the utilities did not appear to have a concern. Staff agrees that the information would be useful.

Rule 25-30.350, F.A.C., Backbilling

Staff is also recommending amendments to Rule 25-30.350, F.A.C. Rule 25-30.350, F.A.C., is re-named Underbillings and Overbillings for Water and Wastewater Service. Currently, the rule only addresses backbilling. Staff recommends that the rule require utilities to calculate a revised bill for underbilling on a monthly basis, using uniform consumption during the period subject to underbilling, based on the individual customer's average usage for the time period covered by the underbilling. All calculations used to arrive at the rebilled amount shall be made available to the customer upon the customer's request.

Staff recommends that Rule 25-30.350, F.A.C., provide that, in the event of an overbilling, the utility must refund the overbilling to the customer based on available records. If the commencement of the overcharging cannot be determined, then an estimate of the overbilling shall be made based on the customer's past consumption. Subsection (1)(b) is amended to require the revised bill to be calculated on a monthly basis, assuming uniform consumption during the period subject to underbilling, based on the individual customer's average usage for the time period covered by the underbilling.

Subsection (3) states that, in the event of an overbilling, the customer may elect to receive the refund as a one-time payment, if the refund is in excess of \$20, or as a credit to future billings. Mr. Smallridge suggested that there be a minimum amount for the one-time payment refund because the cost of staff time and printing the check would cost the company more than the refund amount. OPC agreed, and it was suggested at the workshop that \$20 would be a reasonable threshold.

Rule 25-30.351, F.A.C., Unauthorized Use

Staff recommends the Commission adopt Rule 25-30.351, F.A.C., Unauthorized Use, to address unauthorized or fraudulent use of service, or meter tampering. The utility will bill the customer on an estimate of the water and/or wastewater service used based on the customer's past consumption. Other Commission-regulated industries have separate rules addressing unauthorized use. Therefore, staff recommends removing this provision from Rule 25-30.335, and adopting the language in Rule 25-30.351, F.A.C, to make it easier to find the information.

Mr. Smallridge questioned whether the meter tampering fee contained in a company's tariff sheets would still be applicable or would be superseded by the new rule. Staff believes that any meter tampering fee contained in a tariff would remain in effect under the new rule.

Statement of Estimated Regulatory Costs (SERC)

In accordance with Section 120.541(2), F.S., the SERC (Attachment B) includes an economic analysis addressing whether the draft rule amendments and the new draft rule were likely to have any of the following impacts, in the aggregate, within 5 years after the implementation of the rule:

1. an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million,
2. an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, and innovation in excess of \$1 million, and
3. an increase in regulatory costs, including any transactional costs, in excess of \$1 million.

Data requests were sent to Commission-regulated water and wastewater companies on October 5, 2013, and January 29, 2013, to collect information about the cost impacts of the draft amendments to Rules 25-30.335 and 25-30.350, F.A.C., as well as the cost impacts of draft Rule 25-30.351, F.A.C. Twelve water and wastewater companies responded. The company responses indicate the expected impacts of the draft amendments and draft rule would not approach the statutory thresholds identified above pertaining to economic growth, business competitiveness, and regulatory costs. Thus, the rule amendments would not require legislative ratification pursuant to Section 120.541(3), F.S.

Staff recommends that the Commission propose the amendment of Rules 25-30.335 and 25-30.350, F.A.C., and the adoption of Rule 25-30.351, F.A.C.

Docket No. 120246-WS

Date: March 28, 2013

Issue 2: Should this docket be closed?

Recommendation: Yes. If no requests for hearing or comments are filed, the rules should be filed with the Department of State, and the docket should be closed. (Miller)

Staff Analysis: If no requests for hearing or comments are filed, the rules should be filed with the Department of State, and the docket should be closed.

1 25-30.335 Customer Billing.

2 (1) Except as provided in this rule, a utility shall render bills to customers at regular intervals,
3 and each bill shall indicate: the billing period covered; the applicable rate schedule; beginning
4 and ending meter reading; the amount of the bill; the delinquent date or the date after which
5 the bill becomes past due; and any authorized late payment charge.

6 (2) When a utility is unable to obtain an actual meter read, estimated bills may be provided.

7 (a) If the utility estimates a bill, the bill statement shall prominently show the word
8 “Estimated” on the face of the bill. ~~If the utility estimates the bill, the utility shall indicate on~~
9 ~~the bill that the amount owed is an estimated amount.~~

10 (b) The utility is obligated to timely correct any problems within the utility’s control causing
11 the need to estimate bills. In no event shall a utility provide an estimated bill to any one
12 customer more than four times in any 12-month period due to circumstances that are within
13 the utility’s control and service obligations.

14 (c) Upon issuance of a second estimated bill in a 6 month period, the utility shall provide the
15 customer with an explicit written explanation for the estimation, along with the utility contact
16 information and the Commission toll-free complaint number, 1-800-342-3552.

17 (d) The utility shall maintain records, for a minimum of two years, detailing the number,
18 frequency, and causes of estimated bills, which shall be made available upon request to the
19 Commission or to any party to a rate proceeding for the utility.

20 (3) When service is rendered for less than 50 percent of the normal billing cycle, the utility
21 shall prorate the base facility charges as though the normal billing cycle were 30 days, except
22 that the utility may elect not to issue an initial bill for service if the service is rendered during
23 a time period which is less than 50 percent of the normal billing cycle. Instead, the utility may
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25 CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from
existing law.

1 elect to combine the amount owed for the service rendered during the initial time period with
2 the amount owed for the next billing cycle, and issue a single bill for the combined time
3 period. For service taken under flat rate schedules, 50 percent of the normal charges may be
4 applied.

5 (4) A utility may not consider a customer delinquent in paying his or her bill until the 21st day
6 after the utility has mailed or presented the bill for payment.

7 (5) Each utility shall establish each point of delivery as an independent customer and shall
8 calculate the amount of the bill accordingly, except where physical conditions make it
9 necessary to use additional meters or points of delivery for one class of service to a single
10 customer on the same premises, or where such multiple meters or delivery points are used for
11 the convenience of the utility.

12 (6) A utility may not incorporate municipal or county franchise fees into the amount indicated
13 as the cost for service on the customer's bill. Rather, the utility shall show any such franchise
14 fee as a separate item.

15 (7) The utility shall maintain a record of each customer's account for the most current 2 years
16 so as to permit reproduction of the customer's bills during the time that the utility provided
17 service to that customer.

18 ~~(8) In the event of unauthorized use of service by a customer, a utility may bill the customer~~
19 ~~on a reasonable estimate of the service taken. In addition, the utility may assess a fee to defray~~
20 ~~the cost of restoring service to such a customer provided that the fee is specified in the utility's~~
21 ~~tariff.~~

22 (9) If a utility utilizes the base facility and usage charge rate structure and does not have a
23 Commission authorized vacation rate, the utility shall bill the customer the base facility charge

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existing law.

1 regardless of whether there is any usage.

2 *Specific Authority 350.127(2), 367.121 FS. Law Implemented 367.091, 367.121 FS. History—*
3 *Amended 9-14-74, 6-21-79, Formerly 25-10.97, 25-10.097, Amended 11-10-86, 11-30-93,*

4 _____
5 25-30.350 Underbillings and Overbillings for Water and Wastewater Service. ~~Backbilling.~~

6 (1) A utility may not backbill customers for any period greater than 12 months for any
7 undercharge in billing which is the result of the utility's mistake.

8 (a) The utility shall allow the customer to pay for the unbilled service over the same time
9 period as the time period during which the under billing occurred or some other mutually
10 agreeable time period. The utility shall not recover in a ratemaking proceeding, any lost
11 revenues which inure to the utility's detriment on account of this provision.

12 (b) The revised bill shall be calculated on a monthly basis, assuming uniform consumption
13 during the month(s) subject to underbilling, based on the individual customer's average usage
14 for the time period covered by the underbilling. The monthly bills shall be recalculated by
15 applying the tariff rates in effect for that time period. The customer shall be responsible for
16 the difference between the amount originally billed and the recalculated bill. All calculations
17 used to arrive at the rebilled amount shall be made available to the customer upon the
18 customer's request.

19 (2) In the event of an overbilling, the utility shall refund the overcharge to the customer,
20 based on available records. If the commencement date of the overbilling cannot be
21 determined, then an estimate of the overbilling shall be made based on the customer's past
22 consumption.

23 (3) In the event of an overbilling, the customer may elect to receive the refund as a one-time
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existing law.

1 disbursement, if the refund is in excess of \$20, or as a credit to future billings.
2 *Specific Authority 350.127(2), 367.121 FS. Law Implemented 367.091, 367.121 FS. History–*
3 *New 11-10-8, Amended_____.*
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1 25-30.351 Unauthorized Use.

2 In the event of unauthorized or fraudulent use of service, or meter tampering, the utility shall
3 bill the customer on an estimate of the water and/or wastewater services used based on the
4 customer's past consumption.

5 *Rulemaking Authority 350.127, 367.121 F. S. Law Implemented 367.091, 367.121, F.S,*

6 *New*.

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-M-E-M-O-R-A-N-D-U-M-

DATE: March 26, 2012
TO: Cindy B. Miller, Senior Attorney, Office of the General Counsel
FROM: William B. McNulty, Economic Analyst, Division of Economic Regulation *WBM*
RE: Docket No. 120246-WS – Statement of Estimated Regulatory Costs (2nd Revised)
for Draft Amendments to Rules 25-30.335 and 25-30.350, F.A.C., and Draft Rule
25-30.351, F.A.C.

Summary of Rules

Rule 25-30.335, F.A.C., Customer Billing, identifies the information that must appear on the customer bills of all water and/or wastewater utilities, establishes certain other terms and conditions related to customer billings, and requires utilities to maintain records of customer accounts for a minimum period. Rule 25-30.350, F.A.C., Backbilling, limits the amount of time a water and/or wastewater utility may backbill customers for any undercharge in billing which is the result of the utility's mistake to a period no greater than 12 months.

The draft amendment to Rule 25-30.335, F.A.C., addresses estimated bills. Under the draft amendment, utilities are obligated to prominently display the word "estimated" on the face of each estimated bill, timely correct problems within the utility's control causing the need to estimate bills, and limit to four the number of estimated bills per 12 month period for any single customer which is a result of problems within the utility's control. In addition, upon the issuance of a second estimated bill within a six month period, the utility must provide a written explanation of the reasons for the bill estimations to the customer. Also, the utility is required by the draft amendment to maintain records of estimated bills (i.e. number, frequency, and causes) for a minimum period of two years, available upon request to the Commission or to any party at the time of a utility rate proceeding. Finally, the draft amendment to Rule 25-30.335, F.A.C., would transfer Section 25-30.335(8), which addresses billing for unauthorized use, to draft Rule 25-30.351, F.A.C.

The draft amendments to Rule 25-30.350, F.A.C., include methods for calculating revised bills for water and wastewater service in cases of underbilling and methods for refunding customers in cases of overbilling. In draft Section 25-30.350(1)(b), utilities' revision of bills in cases of underbilling specifies a backbilling methodology based on average usage for the time period of underbilling and tariff rates in effect for that period. For instances of utility overbilling, draft Section 25-30.350(2) requires the utility to refund the overcharge amount to the customer based on available records, or estimate the overcharge amount based upon past consumption if the commencement of overcharging cannot be determined. According to the

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draft amendment, the customer is allowed to elect to receive the refund as a credit to future billing or, if the refund is in excess of \$20, as a one-time payment.

Draft Rule 25-30.351, F.A.C., Unauthorized Use, specifies that water and/or wastewater utilities may bill for fraudulent or unauthorized use of services by estimating the water and/or wastewater services used based on the customer's past consumption.

The following sections of this Statement of Estimated Regulatory Cost (SERC) address the statutory provisions appearing in Section 120.541(2), F.S., applicable to the draft rule and draft rule amendments.

1. Economic Analysis Showing Whether the Rules Are Likely to Have an Adverse Impact on Either Economic Growth or Business Competitiveness In Excess of \$1 Million Within 5 Years.

Subparagraph 120.541(2)(a)1, Florida Statutes (F.S.), requires an economic analysis showing whether the draft rule directly or indirectly is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within five years after the implementation of the rule. Similarly, Subparagraph 120.541(2)(a)2, F.S., requires an economic analysis showing whether the draft rule directly or indirectly is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, production, or innovation in excess of \$1 million in the aggregate within five years after the implementation of the rule.

On October 5, 2012, staff issued a data request to 145 water and/or wastewater companies to collect information about the expected cost impacts of draft amendments to Rules 25-30.335 and 25-30.350, F.A.C., and draft Rule 25-30.351, F.A.C. Five responses were received from water companies, including four Class C water companies (i.e. companies with annual water revenues less than \$200,000) and one Class B water company (i.e. company with annual water revenue less than \$1,000,000 but at least \$200,000). While the response rate to staff's data request was obviously quite low, the answers were consistent. All reporting companies estimated zero or minimal incremental expenses associated with the two draft rules and the proposed rule.

Staff incorporated a series of changes to the draft rules during the month of January 2013. The overall affect of these modifications to the draft rules was to slightly lessen the proposed requirements of the draft amendments to Rule 25-30.335, F.A.C., Customer Billing, on water and wastewater utilities. On January 29, 2013, staff issued data requests to Utilities, Inc., and U.S. Water Services Corporation (U.S. Water) similar to the October 5, 2012, data request. Utilities, Inc. includes one Class A company and three Class B companies and U.S. Water includes three Class B and C companies. Utilities, Inc. reported incremental annual costs associated with draft amendments to Rule 25-30.335, F.A.C., would be zero for all portions of the draft rule except for draft Section 25-30.335(2)(c). The draft rule section would require written explanations be provided to customers receiving two estimated bills within a 6 month period. Utilities, Inc. did

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not specify the incremental costs for that section of the draft rule in its response. According to the utility, compliance with draft Section 25-30.335(2)(c) would require input from its software developer since space on its bills is limited to 253 characters. Meanwhile, U.S. Water reported an estimated \$15,000 in incremental annual costs associated with draft Sections 25-30.335(2)(b), (c), and (d) for its 3 water systems, with an average annual cost per system of \$5,000.

An additional workshop to further consider the newly drafted rules and associated costs was held on February 28, 2013. With minor draft rule modifications, consensus draft rules were achieved at the workshop. Staff requested that interested persons provide post-workshop comments including all further estimated cost impact information associated with the draft rules by March 14, 2013. Utilities, Inc. reported that draft Section 25-30.335(2)(c) is expected to result in annual incremental costs of \$1,872 to provide written explanatory notices to customers who receive two estimated bills in a six month period, in addition to a one-time programming cost of \$5,000. No other comments were received.

Based on the above, incremental annual transactional costs of less than \$20,000 are expected to be incurred by water and wastewater utilities, in the aggregate, to comply with the draft changes to Rule 25-30.335, F.A.C. Inclusive of one time investments in programming costs, the five year impact of the rule is less than \$100,000. Thus, it is unlikely that Rule 25-30.335, F.A.C., would have an adverse impact on either economic growth or business competitiveness in excess of \$1 million in the aggregate within five years of the rule's implementation.

The draft changes to Rule 25-30.350, F.A.C., provide clarity to utilities regarding the method for calculating revised bills in cases of underbillings, but this change is not expected to increase costs to utilities or customers. Similarly, the draft changes to the rule to clarify the method for determining the amount of the overcharge in cases of overbilling are not expected to increase costs to utilities or customers. Draft Rule 25-30.351, F.A.C., provides clarity for the method of estimating a bill in cases of unauthorized use, but it is not expected to increase costs to utilities or utilities' general body of ratepayers based on the filed data request responses. Thus, it is unlikely that the draft amendment to Rule 25-30.350, F.A.C., or draft Rule 25-30.351, F.A.C., would have an adverse impact on either economic growth or business competitiveness in excess of \$1 million in the aggregate within five years of the rule's implementation.

2. Economic Analysis Showing Whether the Rules Are Likely to Increase Regulatory Costs In Excess of \$1 Million Within 5 Years

Subparagraph 120.541(2)(a)3, F.S., requires an economic analysis showing whether the draft rule directly or indirectly is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within five years of the rule's implementation. Regulatory costs include good faith estimates of both the incremental transactional costs and the incremental agency costs associated with each draft rule amendment and draft rule. As discussed in Section 1 above, the utilities' have indicated that the annual incremental costs associated with draft Rule 25-30.335, F.A.C., is less than \$20,000. Rule 25-30.350 and draft Rule 25-30.351 do not appear to increase costs to the utilities or the utilities' general body of ratepayers. Also, the

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agency costs for all three rules, as indicated in Section 4 below, are expected to be de minimus. Thus, for the draft rule and the draft rule amendments taken separately, it is unlikely that the increase in regulatory costs would have an adverse impact on either economic growth or business competitiveness in excess of \$1 million in the aggregate within five years of the rule's implementation.

3. Estimated Number of Entities Required to Comply and General Description of Individuals Affected

Subparagraph 120.541.(2)(b), F.S., requires a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals anticipated to be affected by the rule. The number of entities which will be required to comply with each of the draft amended rules and the draft rule is 140 water and/or wastewater companies.

4. Rule Implementation and Enforcement Costs and Impact on Revenues For The Agency and Other State and Local Government Entities

Section 120.541(2)(c), F.S., requires a good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues. If the draft rule and draft rule amendments are approved and become effective, each such rule is expected to have minimal impact on the Commission's costs of rule implementation and enforcement. The number of customer complaints received by the Commission associated with estimated bills, overbillings, and underbillings is expected to decline with the increased clarity and consistency which would be provided by the rules, ultimately reflected in reduced Commission staff work requirements. Such reduction in staff time spent resolving complaints may be offset by possible increases in staff reviews pertaining to estimated billings, overbillings, and underbillings in the context of rate proceedings. Thus, the cost of implementing and enforcing the proposed rules, individually and collectively, is expected to be de minimus. No other state or local government entities' costs are impacted by the rules.

Draft Rule 25-30.351, F.A.C., if it becomes effective, would clarify the method for billing for unauthorized use of facilities, but the draft rule is not expected to materially impact the revenue received from unauthorized users, so no impact is expected in the regulatory assessment fees payable to the Commission. Likewise, there is no anticipated effect on state and local revenues related to the draft amendments to Rules 25-30.335 and 25-30.350, F.A.C.

5. Estimated Transactional Costs to Individuals and Entities

Section 120.541(2)(d), F.S., requires a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. The analysis of the likely transactional costs appears in Section 1 above. The increase in costs likely to be incurred by individuals and entities,

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including local government entities, associated with the draft amendment to Rule 25-30.335, F.A.C., is less than \$20,000 per year. The annual increase in costs likely to be incurred by individuals and entities, including local government entities, associated with the draft amendment to Rule 25-30.350, F.A.C., and draft Rule 25-30.351, F.A.C., is zero.

6. Impact On Small Businesses, Small Cities, Or Small Counties

Section 120.541(2)(e), F.S., requires an analysis of the impact of the proposed changes on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined in Section 120.52, F.S. The companies responding to the data requests generally indicated that the draft rules would result in minimal or no impact to small businesses, small counties, and small cities. Some companies responded that estimating the impact of the draft revisions on small businesses, small counties, and small cities is not applicable since the companies do not have such entities in their service areas. The draft amendments and the draft rule are not expected to adversely impact small businesses, small counties, or small cities.

7. Additional Information Deemed Useful By The Agency

None.

cc: Marshall Willis
Jim Dean