

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-30.460,
F.A.C., Application for Miscellaneous Service
Charges.

DOCKET NO. 20200240-WS
ORDER NO. PSC-2021-0153-NOR-WS
ISSUED: May 5, 2021

The following Commissioners participated in the disposition of this matter:

GARY F. CLARK, Chairman
ART GRAHAM
ANDREW GILES FAY
MIKE LA ROSA

NOTICE OF RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has proposed the amendment of Rule 25-30.460, Florida Administrative Code, relating to miscellaneous service charges requested and assessed by water and wastewater utilities.

The attached Notice of Proposed Rule appeared in the May 5, 2021 edition of the Florida Administrative Register. If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Requests for hearing on the proposed rule, information regarding the statement of estimated regulatory costs, or proposals for a lower cost regulatory alternative must be provided in writing and received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than May 26, 2021.

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By ORDER of the Florida Public Service Commission this 5th day of May, 2021.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-30.460 Application for Miscellaneous Service Charges

PURPOSE AND EFFECT: To add clarity and specificity to rule language and to update the rule to address the various miscellaneous service charges.

Docket No. 20200240-WS

SUMMARY: The rule identifies and defines the various miscellaneous service charges for which water and wastewater utilities may request the Commission's approval and addresses how the utilities may assess these charges.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency. The SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule amendment will not have an adverse impact on economic growth, business competitiveness, or small business, that it will not likely result in increased transactional costs to utilities required to comply with the rule, and that it is likely to result in cost reductions and administrative efficiencies.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

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

RULEMAKING AUTHORITY: 350.127(2), 367.121, FS.

LAW IMPLEMENTED: 367.081, 367.121, 367.091, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Margo DuVal, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6076, mduval@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS: [TYPE AND STRIKE VERSION]

25-30.460 Application for Miscellaneous Service Charges.

(1) All water and wastewater utilities may apply for miscellaneous service charges. ~~and these charges shall be included in each company's tariff. If a utility provides both water and wastewater services, only a single charge shall be assessed for each of the miscellaneous service charges identified in subsection (2). and include rates for initial connections, normal reconnections, violation reconnections, and premises visit charges.~~

(2) The following identifies and defines miscellaneous service charges:

(a) ~~A premises visit charge is levied when a service representative visits a premises to discontinue service for nonpayment of a due and collectible bill and the customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill and service is not discontinued. A premises visit charge is also levied when a service representative visits a premises at the customer's request to (1) initiate service, (2) temporarily disconnect service, (3) reconnect service after a temporary discontinuance, or (4) assess a service issue and it is found to be the customer's responsibility. Initial connection charges are levied for service initiation at a location where service did not exist previously.~~

(b) ~~Normal reconnection charges are levied for transfer of service to a new customer account at a previously served location, or reconnection of service subsequent to a customer requested disconnection.~~

~~(b)~~(e) ~~A violation reconnection is a charge that is levied prior to reconnection of an existing customer after discontinuance of service for cause according to subsection 25-30.320(2), F.A.C., including a delinquency in bill payment. Violation reconnection charges are at the tariffed rate for discontinuance of water service and actual cost for discontinuance of wastewater service.~~

~~(c)~~(e) ~~A convenience charge is levied when a utility bill is paid by debit or credit card. Premises Visit Charge is levied when a service representative visits a premises at the customer's request for complaint resolution and the problem is found to be the customer's responsibility.~~

~~(d)~~(e) ~~An investigation of meter tampering charge is levied when an investigation reveals evidence of unauthorized connection to, or tampering with, the utility's meter or equipment, pursuant to paragraph 25-30.320(2)(j), F.A.C. Premises Visit Charge (in lieu of disconnection) is levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.~~

~~(e)~~ A late payment charge is levied when a customer is delinquent in paying a bill for service, pursuant to subsection 25-30.335(4), F.A.C.

~~(f)~~ A non-sufficient funds charge is levied when a customer's payment is refused by the drawee because of lack of funds, lack of credit, or lack of an account, pursuant to Section 68.065, F.S.

~~(2)~~ A utility may request an additional charge ("after hours charge") for overtime when the customer requests that the service be performed after normal hours. The after hours charge may be at the same rate specified for the existing charge during normal working hours. If the utility seeks a charge other than the normal working hours charge, the utility must file cost support.

~~(3)~~ A utility may apply for after hours charges for a premises visit charge or violation reconnection charge to account for the overtime when the customer requests that the service be performed after normal business hours.

Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented 367.081, 367.121, 367.091 FS. History—New 11-30-93, Amended _____.

NAME OF PERSONS ORIGINATING PROPOSED RULE: Shannon Hudson, Terence Bethea

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 46, Number 138, July 16, 2020.