

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rule 25-6.043, )	DOCKET NO. 891269-EU
F.A.C., relating to Investor-Owned )	
Electric Utility Minimum Filing )	ORDER NO. 23096
Requirements; Commission Designee. )	
_____ )	ISSUED: 6-21-90

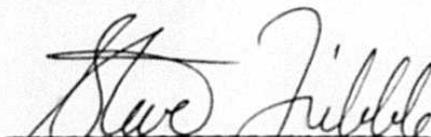
NOTICE OF ADOPTION OF RULE AMENDMENT

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has adopted the amendments to Rule 25-6.043, F.A.C., relating to investor-owned electric utility minimum filing requirements; Commission designee, without changes.

The rule amendment was filed with the Secretary of State on June 15, 1990, and will be effective on July 5, 1990. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this notice.

This docket is closed upon issuance of this notice.

By Direction of the Florida Public Service Commission,  
this 21st day of JUNE, 1990.

  
\_\_\_\_\_  
STEVE TRIBBLE, Director  
Division of Records & Reporting

( S E A L )

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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

I do hereby certify:

- (1) The time limitations prescribed by paragraph 120.54(11)(a), F.S., have been complied with; and
- (2) There is no administrative determination under section 120.54(4), 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(11)(b), F.S. They are filed not less than 28 days after the notice required by subsection 120.54(1), F.S., and;
- (a) And 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 within 21 days after the adjournment of the final public hearing on the rule; or
- (d) Are filed within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or
- (e) Are filed within 21 days after the date the transcript was received by this agency.

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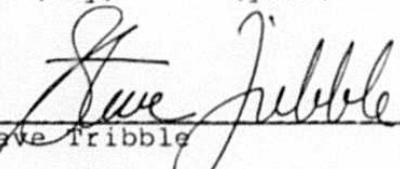
Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

<u>Rule No.</u>	<u>Specific Rulemaking Authority</u>	<u>Law Being Implemented, Interpreted or Made Specific</u>
25-6.043	366.05(1), (2), 366.06(3), F.S.	366.06(4), 366.071, F.S.

Under the provision of paragraph 120.54(12)(a), 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)

  
\_\_\_\_\_  
Steve Tribble  
Director, Division of Records & Reporting  
Title

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

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Substantial rewording of Rule 25-6.043. See Florida Administrative Code for present text.

25-6.043 Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee.

(1) General Filing Instructions

(a) The petition under Section 366.06 and Section 366.071, Florida Statutes, for adjustment of rates must include or be accompanied by:

1. The information required by Commission Form PSC/EAG/11 ( ), entitled "Minimum Filing Requirements for Investor-Owned Electric Utilities" which is incorporated into this rule by reference. The form may be obtained from the Commission's Division of Electric and Gas.
2. The exact name of the applicant and the address of the applicant's principal place of business.
3. Copies of prepared direct testimony and exhibits for each witness testifying on behalf of the Company.

(b) In compiling the required schedules, a company shall follow the policies, procedures and guidelines prescribed by the Commission in relevant rules and in the company's last rate case or in a more recent rate case involving a comparable utility. These schedules shall be identified appropriately (e.g., Schedule B-1 would be designated Company Schedule B-1 - Company basis).

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(c) Each schedule shall be cross-referenced to identify related schedules as either supporting schedules and/or recap schedules.

(d) Each page of the filing shall be numbered on 3 1/2 x 11 inch paper. Each witness' prefiled testimony and exhibits shall be on numbered pages and all exhibits shall be attached to the proponent's testimony.

(e) Except for handwritten official company records, all data in the petition, testimony, exhibits and minimum filing requirements shall be typed.

(f) Each schedule shall indicate the name of the witness responsible for its presentation.

(g) All schedules involving investment data shall be completed on an average investment basis. Unless a specific schedule requests otherwise, average is defined as the average of thirteen (13) monthly balances.

(h) Twenty-one (21) copies of the filing, consisting of the petition and its supporting attachments, testimony, and exhibits, shall be filed with the Division of Records and Reporting.

(i) Whenever the company proposes any corrections, updates or other changes to the originally filed data, twenty-one (21) copies shall be filed with the Division of Records and Reporting with copies also served on all parties at the same time.

(2) Commission Designee: The Director of the Division of Electric and Gas shall be the designee of the Commission for

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purposes of determining whether the utility has met the minimum filing requirements imposed by this rule.

(3) Waiver of Minimum Filing Requirements. The Commission may grant a waiver with respect to specific data required by this rule upon a showing that production of the data would be impractical or impose an excessive economic burden upon the company.

Specific Authority: 366.05(1), (2), 366.06(3), F.S.

Law Implemented: 366.06(4), 366.071, F.S.

History: New 5/27/81, formerly 25-6.43, Amended \_\_\_\_\_.

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Rule 25-6.043  
Docket No. 891269-EU

SUMMARY OF RULE

The current electric MFR rule attempts to describe the contents of required schedules by type of data requested. The proposed amendment to Rule 25-6.043 would eliminate descriptions of specific schedules from the text of the rule. Instead, all required schedules will be contained in Commission Form PSC/EAG/11 ( ) entitled "Minimum Filing Requirements for Investor-Owned Electric Utilities." The form is adopted by reference in the proposed rule amendment.

The current MFR rule was adopted in 1981. Since that time, practical rate case experience with all five major electric utilities has shown that the schedules contained in the current MFRs are not adequate to provide all the information, in the form needed, that the Commission must have to conduct its investigation in rate cases. Schedules have generally been supplemented through data requests, interrogatories, and deposition exhibits which have provided additional detail in specific areas of concern to the Commission. The new MFR schedules are grouped into seven basic categories instead of three as in the current rule. The schedules have systemized the data requirements of the old MFRs with the additional requirements for data which have developed through practical experience.

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The new rule specifies the approach the utility is to take in interpreting the filing requirements and requires specific cross-referencing of related schedules. Utility witnesses will be identified with each schedule, and all testimony and exhibits will be filed simultaneously with the MFR filing. The Director of the Division of Electric and Gas will be the Commission designee for determining whether the MFRs are complete. The rule also provides for waiver of specific requirements of the MFRs upon a showing that the production of the data would be impractical or not justified economically.

#### SUMMARY OF HEARINGS ON THE RULE

No comments were filed and no requests for a hearing were received.

#### FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The current version of Rule 25-6.043 was adopted in 1981. Since that time, the type of information required to process electric utility rate filings has been refined through practical experience with all major investor-owned electric utilities. Schedules have been modified and new schedules developed to accommodate analysis of particular areas of concern to the Commission. Standard interrogatories and deposition exhibits have been developed to supplement information currently required. Policy changes in various areas of ratemaking have necessitated

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filing of information in a new format or expanded the information required. Amendment of the rule is necessary to synthesize required information into clearly defined schedules which may be submitted at the beginning of a rate proceeding.

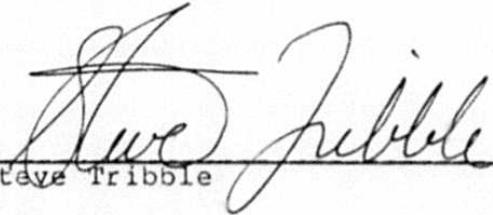
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CERTIFICATION OF  
INCORPORATION BY REFERENCE

I do hereby certify:

(1) That subparagraph (1)(a)1 incorporates Form PSC/EAG/11 (Rev. 03/90) into Rule 25-6.043 by reference.

(2) That Form PSC/EAG/11 (Rev. 03/90) consists of information for filing electric utility minimum filing requirements.

  
\_\_\_\_\_  
Steve Tribble

Director, Division of Records & Reporting  
Title

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Number of Pages Certified

( S E A L )