

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rule 25-4.0245, )	DOCKET NO. 900316-TL
F.A.C., Rate of Return Reports )	ORDER NO. 23325
for Local Exchange Companies. )	ISSUED:. 8-8-90
)	

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 25-4.0245, F.A.C., F.A.C., relating to Rate of Return Reports, without change.

The rule amendment was filed with the Secretary of State on August 1, 1990 and will be effective on August 21, 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 8th day of AUGUST, 1990.

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

( S E A L )

CTM/cp

4325G

DOCUMENT NUMBER-DATE  
 07164 AUG-8 1990  
 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.

RECEIVED  
 DEPARTMENT OF STATE  
 1990-11-14  
 09:00

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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.

Rule No.	Specific Rulemaking Authority	Law Being Implemented, Interpreted or Made Specific
25-4.0245	364.127(2), F.S.	364.03(1), 350.117(1), 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)

Kay Flynn for  
Steve Tribble  
Director, Division of Records & Reporting

APPROVED  
50 RPS - 1 PM 11/04  
TALLAHASSEE, FLORIDA

1 25-4.0245 Rate of Return Report.

2 (1) Each local exchange telephone company utility shall  
 3 file the following rate of return data using Commission Form  
 4 PSC/CMU 21 ( / ), which is incorporated by reference into this  
 5 rule. Form PSC/CMU 21, entitled "Telephone Earnings Surveillance  
 6 Report," may be obtained from the Commission's Division of  
 7 Communications. ~~within-75-days-after-the-end-of-each-month-~~

8 (a) Actual (per book) rate of return computed on a  
 9 jurisdictional average rate base for the twelve-month period ended  
 10 with the month being reported.

11 (b) An adjusted (pro forma including annualized rate  
 12 increases/decreases) rate of return computed on a jurisdictional  
 13 year end rate base for the twelve-month period ended with the  
 14 month being reported. The adjustments shall be consistent with  
 15 those made in the company's utility's most recently completed  
 16 rate proceeding.

17 (c) Required rates of return (low, midpoint, high)  
 18 calculated in accordance with section 364.055(5)(b)(2), F.S., for  
 19 the twelve-month period ended with the month being reported.

20 (2) The report shall be filed:

21 (a) Monthly, by the 15th day of the third month following  
 22 the reported month for telephone companies with 100,000 or more  
 23 access lines.

24 (b) Quarterly, by the 15th day of the third month  
 25 following the reported quarter for telephone companies with less

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1 | than 100,000 access lines.

2 |        (3) ~~(2)~~ Requests for extensions of time in which to file  
3 | must be submitted in writing to the Commission prior to the due  
4 | date.

5 | Specific Authority: 364.127(2), F.S.

6 | Law Implemented: 364.03(1), 350.117(1), F.S.

7 | History: New 11/18/82, formerly 25-4.245, Amended \_\_\_\_\_.

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

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Rule 25-4.0245, F.A.C.  
Docket No. 900316-TL

SUMMARY OF RULE

The amended rule will allow local exchange telephone companies (LECs) with fewer than 100,000 access lines to file earnings surveillance reports quarterly rather than monthly as the rule requires now, and simplifies calculation of the date when reports are due from all LECs. Instead of requiring LECs to file their reports within 75 days after the end of each month, they would be required to file their reports by the 15th day of the third month following the reported month or quarter. Form PSC/CMU 21 is renamed The Telephone Earnings Surveillance Report, and is revised to conform it to the Federal Communications Commission's updated Uniform System of Accounts.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and no hearing was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The current version of Rule 25-4.0245 was adopted in 1982. Since then, the Commission has found that the benefit of receiving monthly earnings surveillance reports from small local exchange telephone companies is outweighed by the hardship it causes the small companies. The rule was waived by order of the Commission and small companies, considered to be those with fewer than 100,000 access lines, now file quarterly reports. The revised rule codifies that order and eliminates the confusion in determining the date reports are due by setting a date certain. The revision of the reporting form is necessary to conform it to the current Uniform System of Accounts.