

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Revision of) DOCKET NO. 940062-OT
Rule 25-22.002, F.A.C. Agenda of) ORDER NO. PSC-94-0175-NOR-OT
Meetings) ISSUED: February 11, 1994

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

NOTICE OF RULEMAKING

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-22.002, F.A.C., relating to Agenda of Meetings.

The attached Notice of Rulemaking will appear in the February 18, 1994 edition of the Florida Administrative Weekly.

By Direction of the Florida Public Service Commission, this 11th day of February, 1994.

STEVE TRIBBLE, Director
Division of Records & Reporting

(S E A L)

by: Kay Flynn
Chief, Bureau of Records

DOCUMENT NUMBER-DATE
01371 FEB 11 1994
FPSC-RECORDS/REPORTING

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 940062-OT

RULE TITLE: RULE NO.:
Agenda of Meetings 25-22.002

PURPOSE AND EFFECT: To notify the public how it may obtain copies of staff recommendations on agenda items and to codify the Commission policy about deferral of items on the agenda.

SUMMARY: Rule 25-22.002(3) is amended to provide that a majority vote of a quorum of the Commission is required to modify the presiding officer's decision to make a change to the agenda after it is distributed. Rule 25-22.002(4) is added to state where copies of staff recommendations for agenda items may be obtained, that there is a copying fee, and that parties to a proceeding are entitled to one free copy.

RULEMAKING AUTHORITY: 120.53, F.S.

LAW IMPLEMENTED: 120.53, F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

NO HEARING WILL BE HELD BECAUSE THIS RULE RELATES EXCLUSIVELY TO THE COMMISSION'S ORGANIZATION, PROCEDURE OR PRACTICE.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-22.002 Agenda of Meetings.

(1) The agenda for meetings shall be prepared by the Commission in time to insure that a copy may be received at least seven (7) days before the meeting by any person in the State who has requested a copy and pays \$1.00 per copy.

(2) The agenda shall list and specify the items to be considered at the meeting.

(3) For good cause stated on the record, the person designated to preside may make specific changes in the agenda after it has been made available for distribution. A majority vote of a quorum of the Commission is required to modify the presiding officer's decision.

(4) Copies of staff recommendations for items on the agenda may be obtained from the Division of Records and Reporting upon request and the payment of the applicable copying fee. Parties to a proceeding are entitled to one copy of the staff recommendation filed in the proceeding at no cost.

Specific Authority: 120.53, F.S.

Law Implemented: 120.53, F.S.

History: New 12/21/81, formerly 25-22.02, Amended .

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NAME OF PERSON ORIGINATING PROPOSED RULES: Noreen Davis, Director
of Legal Services

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULES:
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: February 1, 1994