

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Amendments To) DOCKET NO. 960067-WS
Rule 25-30.110, F.A.C., Records) ORDER NO. PSC-96-0316-NOR-WS
and Reports; Annual Reports) ISSUED: March 1, 1996
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-30.110, Florida Administrative Code, relating to annual reports of water and wastewater utilities.

The attached Notice of Rulemaking will appear in the March 8, 1996, edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at the following time and place:

Florida Public Service Commission
9:30 a.m., April 25, 1996
Betty Easley Conference Center
Room 152, 4075 Esplanade Way
Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, no later than March 29, 1996.

DOCUMENT FILED DATE

02547 MAR-18

FPSC-RECORDS/REPORTING

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By ORDER of the Florida Public Service Commission, this 1st
day of March, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay J. J. J.
Chief, Bureau of Records

(S E A L)

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 960067-WS

RULE TITLE: RULE NO.:

Records and Reports; Annual Reports 25-30.110

PURPOSE AND EFFECT: In order to revise and update the Class C Water and Wastewater Annual Report, amendments have been proposed to amend Rule 25-30.110 to incorporate by reference a revised annual report.

SUMMARY: The proposed amendments incorporate by reference an updated Class C annual report.

RULEMAKING AUTHORITY: 350.127(2), 367.121, F.S.

LAW IMPLEMENTED: 367.121(1)(c), 367.121(1)(g), 367.121(1)(i), 367.121(1)(k), 367.156(1), 367.161, 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.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., April 25, 1996

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-30.110 Records and Reports; Annual Reports.

(1) - (3) No change.

(4) ANNUAL REPORTS; CONTENTS. The appropriate annual report form required from each utility shall be determined by using the same three classes of utilities used by the National Association of Regulatory Utility Commissioners for publishing its system of accounts: Class A (those having annual water or wastewater operating revenues of \$750,000 or more); Class B (those having annual water or wastewater revenues of \$150,000 to \$749,999); Class C (annual water or wastewater revenues of less than \$150,000). The class to which a utility belongs shall be determined by using the higher of the average of its annual water or wastewater operating revenues for each of the last three preceding years.

(a) Class A utilities shall file the annual report entitled "Water and/or Wastewater Utilities (Gross Revenues of \$750,000 and Over)" required by Commission Form PSC/WAS 4 (Rev. 12/86), which was effective on December 22, 1986.

(b) Class B utilities shall file the annual report entitled "Water and/or wastewater Utilities (Gross Revenues of \$150,000 or

more But Less Than \$750,000 Each)" required by Commission Form PSC/WAS 5 (Rev. 12/86) which was effective on December 22, 1986.

(c) Class C utilities shall file the annual report entitled "Water and/or wastewater Utilities (Gross Revenues of less than \$150,000 each) required by Commission Form PSC/WAS 6 Rev. (x/xx) ~~12/86 which was effective on December 22, 1986.~~

(d) Class A or B utilities that have multiple systems under one consolidated company should file the Consolidated Annual Report (Form PSC/WAS 3 (/91)) in lieu of separate annual reports for each system. Any questions regarding the annual report form to be filed, should be directed to the Division of Water and Wastewater, Bureau of Accounting.

(e) The foregoing forms can be obtained from the Commission's Division of Water and Wastewater.

(5) - (6) No change.

(7) DELINQUENT REPORTS.

(a) Any utility that fails to file its annual report or extension on or before March 31, or within the time specified by any extension, approved in writing by the Division of Water and Wastewater, shall be subject to a penalty. The penalty shall be based on the number of calendar days elapsed from March 31, or from an approved extended filing date, until the date of filing. The date of filing shall be included in the days elapsed.

(b) No change.

(8) INCOMPLETE REPORTS.

(a) The Commission's Division of Water and Wastewater shall provide written notification to a utility if its report does not contain information required by subsection (4) of this rule. The utility shall file the missing information no later than 30 days after the date on the face of the notification. If the utility fails to file the information within that period, the report will be deemed delinquent and the utility shall be subject to a penalty as provided under paragraphs (7)(a) and (b), except that the penalty shall be based on the number of days elapsed from the date the information is due to the date it is actually filed. The date of filing shall be included in the elapsed days.

(b) A report is incomplete if any of the schedules required by the following forms of this rule are not completed:

1. Form PSC/WAS 4 (Rev. 12/86 for Class A utilities);
2. Form PSC/WAS 5 (Rev. 12/86~~+~~ for Class B uUtilities); and
3. Form PSC/WAS 3 (Rev. 03/91 for Class A or B uUtilities that have multiple systems.)
4. Form PSC/WAS 6 (Rev. ~~x/xx~~ 12/86 for Class C- uUtilities).

(c) An incomplete report will remain incomplete until the missing information is filed with the Division of Water and Wastewater on the appropriate Commission form.

(9) - (11) No change.

Specific Authority: 350.127(2), 367.121, F.S.

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Law Implemented: 367.121(1)(c), 367.121(1)(g), 367.121(1)(i),
367.121(1)(k), 367.156(1), 367.161, F.S.

History: Amended 9/12/74, 1/18/83, 2/24/85, 10/27/85, formerly
25-10.25, Transferred from 25-10.025 11/9/86, Amended 12/22/86,
3/11/91, 11/13/95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Robert Casey, Division
of Water and Wastewater.

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

DATE PROPOSED RULE APPROVED: February 20, 1996.

If any person decides to appeal any decision of the Commission with
respect to any matter considered at the rulemaking hearing, if
held, a record of the hearing is necessary. The appellant must
ensure that a verbatim record, including testimony and evidence
forming the basis of the appeal is made. The Commission usually
makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of
a physical impairment should call the Division of Records and
Reporting at (904) 413-6770 at least five calendar days prior to
the hearing. If you are hearing or speech impaired, please contact
the Florida Public Service Commission using the Florida Relay
Service, which can be reached at: 1-800-955-8771 (TDD).