

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for waiver of) DOCKET NO. 960516-EI
Rule 25-6.015, F.A.C., in order) ORDER NO. PSC-96-1195-FOF-EI
to microfilm and destroy records) ISSUED: September 23, 1996
before end of three-year)
retention period, by Florida)
Power & Light Company.)
_____)

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 PROPOSED AGENCY ACTION
ORDER GRANTING FLORIDA POWER & LIGHT COMPANY'S
REQUEST FOR WAIVER OF RULE 25-6.015(3)(a),
FLORIDA ADMINISTRATIVE CODE

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On October 15, 1993, the Commission issued Order No. PSC-93-1518-FOF-EI granting Florida Power & Light Company's (FPL) request for waiver of Rule 25-6.015(3)(a), Florida Administrative Code, requiring the retention of source documents in their original form for a minimum of three years. Specifically, the Commission granted FPL's request to retain source documents by using a microfilm or microfiche process; however, denied FPL's request for a waiver regarding documents copied using the imaging process. Order No. PSC-93-1518-FOF-EI stated:

The drawback to the imaging process is that the information is not easily transportable, because the equipment is very vendor specific and sometimes may not even be transportable within the same vendor. While information can be transported rapidly through the use of

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the network, access to the source documentation through the network may not be available unless an appropriate protocol or conversion process is in place. FPL does not have such a process in place at all its offices, and FPL indicated to our staff that it plans to request a separate waiver of the rule for those documents copied using the imaging process.

In addition, the Order stated:

We are not yet satisfied that there will be dependable, continued access to copies made using this process, and until this concern is addressed, FPL should maintain the original source documents for three years, as Rule 25-6.015 requires.

On April 22, 1996, the Commission received FPL's renewed petition for waiver of Rule 25-6.015(3)(a), Florida Administrative Code, regarding the imaging process.

FPL states that:

with experience drawn from widespread usage of the imaging process and refinements made in it over the past 2½ years, the Commission's earlier stated concerns should now be greatly alleviated if not eliminated.

Commission staff reviewed FPL's imaging process on the following records:

1. Engineering drawings in the distribution, power generation, and power delivery business units.
2. Business records for the General Counsel business unit (employee records, purchase orders, correspondence, returned checks, fee owned facilities, litigation support, insurance policies)
3. Procedures for the nuclear business unit.

These records are imaged using three different systems: Integraph, Universal systems, and Cimage. ADSTAR Distributed Storage Manager backs up the database and stores the records in a universal format. Consequently, the information can be viewed by on-line access, electronic mail, or computer-output-microfiche. The documents on-line and printouts of documents from each system are clear and easy to read.

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Since FPL illustrated that the documents copied using the imaging process were clear, easy to read, and available in a universal format, we approve FPL's request for waiver of Rule 25-6.015(3)(a), Florida Administrative Code. FPL, however, must notify the Division of Auditing and Financial Analysis if FPL changes vendors or its method of imaging.

Based on the foregoing, it is

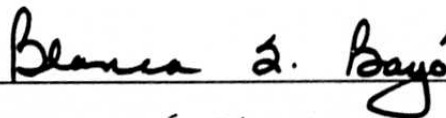
ORDERED by the Florida Public Service Commission that Florida Power & Light Company's request for waiver of Rule 25-6.015(3)(a), Florida Administrative Code, which required the retention of source documents in their original form for a minimum of three years, is approved as discussed within the body of this Order. It is further

ORDERED that Florida Power & Light Company shall notify the Division of Auditing and Financial Analysis if it changes the method used to copy its source documents. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 23rd day of September, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on October 14, 1996.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.