

MEMORANDUM

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August 13, 1998

98 AUG 13 PM 2:52

RECORDS AND REPORTING

TO : DIVISION OF RECORDS & REPORTING

FROM : CHRISTIANA T. MOORE, ASSOCIATE GENERAL COUNSEL *CTM*

RE : DOCKET NO. 980276-EI - PROPOSED AMENDMENT OF RULE 25-6.0131, F.A.C., INVESTOR-OWNED ELECTRIC COMPANY REGULATORY ASSESSMENT FEES

98-1095-NOR

Attached please find a Notice of Rulemaking for distribution by your office.

Industry distribution is:

- Electric (EI)
- Electric (EM)
- Electric (EC)
- Gas (GU)
- Gas (GS)
- Gas Pipeline (GP)
- Telephone (TL)
- Telephone (TI)
- Telephone (TC)
- Telephone (TS)
- Telephone (TX)
- Telephone Alternate Access Vendors (TA)
- Water and Wastewater (WAW)

This document has the following priority:

- Must be issued today.
- Must be issued within 48 hours.
- Must be issued within 5 working days.

NOR60131.MRD  
 Attachment  
 cc: File  
 W. Terrell

*pg 25*  
*5 days or 48 hours*  
*80/16*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Amendment of  
Rule 25-6.0131, F.A.C.,  
Investor-Owned Electric Company  
Regulatory Assessment Fees.

DOCKET NO. 980276-EI  
ORDER NO. PSC-98-1095-NOR-EI  
ISSUED: August 14, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.

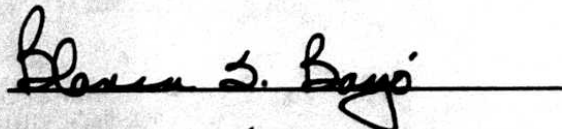
NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-6.0131, Florida Administrative Code, relating to investor-owned electric company regulatory assessment fees.

The attached Notice of Rulemaking will appear in the August 21, 1998 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at a time and place to be announced in a future notice. Written requests for hearing and written comments or suggestions on the rules must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than September 11, 1998.

By ORDER of the Florida Public Service Commission, this 14th day of August, 1998.



BLANCA S. BAYÓ, Director  
Division of Records & Reporting

( S E A L )

CTM

DOCUMENT NUMBER-DATE

08667 AUG 14 88

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 980276-EI

RULE TITLE:

RULE NO.:

Regulatory Assessment Fees; Investor-Owned  
Electric Companies, Municipal Electric  
Utilities, Rural Electric Cooperatives

25-6.0131

PURPOSE AND EFFECT: To decrease the regulatory assessment fee.

SUMMARY: Amends Rule 25-6.0131, F.A.C., to decrease the regulatory assessment fee charged to investor-owned electric companies from .0833 percent to .072 percent of gross operating revenues.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Because the rule change should not result in any additional costs or negative impacts on utilities, small businesses, small cities, or small counties, a Statement of Estimated Regulatory Cost was not prepared.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 350.113, 366.14, FS

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21

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DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

HEARING: IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE, AND PLACE THAT WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.0131 Regulatory Assessment Fees; Investor-owned Electric Companies, Municipal Electric Utilities, Rural Electric Cooperatives.

(1) No Change.

(a) Each investor-owned electric company shall pay a regulatory assessment fee in the amount of .00072 ~~0.000833~~ of gross operating revenues derived from intrastate business, excluding sales for resale between public utilities, municipal electric utilities, and rural electric cooperatives or any combination thereof.

(b) - (3) No Change.

(4) Commission Form PSC/ADM 68 (01/9907/96), entitled "Investor-Owned Electric Utility Regulatory Assessment Fee Return"; Form PSC/ADM 69 (07/96), entitled "Municipal Electric Utility

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Regulatory Assessment Fee Return"; and Form PSC/ADM 70 (07/96), entitled "Rural Electric Cooperative Regulatory Assessment Fee Return" are incorporated into this rule by reference and may be obtained from the Commission's Division of Administration. The failure of a utility to receive a return form shall not excuse the utility from its obligation to timely remit the regulatory assessment fees.

(5) - (8) No Change.

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

Law Implemented: 350.113, 366.14, F.S.

History: New 5-18-83, Amended 2-9-84, formerly 25-6.131, Amended 06-18-86, 10-16-86, 03-07-89, 02-19-92, 07-08-96, 01-01-99.

NAME OF PERSON ORIGINATING PROPOSED RULE: Evelyn Sewell.

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:  
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: August 4, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

Volume 24, Number 12, March 20, 1998

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

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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 (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).