

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed repeal of Rule
25-22.036(3), F.A.C., Initiation
of Formal Proceedings.

DOCKET NO. 000533-PU
ORDER NO. PSC-00-1172-FOF-PU
ISSUED: June 28, 2000

The following Commissioners participated in the disposition of this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
E. LEON JACOBS, JR.
LILA A. JABER

NOTICE OF ADOPTION OF RULE AMENDMENT

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted the repeal of Rule 25-22.036(3), Florida Administrative Code, relating to initiation of formal proceedings, without changes.

The rule amendment was filed with the Department of State on June 27, 2000, and will be effective on July 17, 2000. A copy of the rule as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission, this 28th day of June, 2000.


BLANCA S. BAYÓ, Director
Division of Records & Reporting

(S E A L)

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

25-22.036 Initiation of Formal Proceedings.

(1) Application. An application is appropriate when a person seeks authority from the Commission to engage in an activity subject to Commission jurisdiction.

(2) Complaints. A complaint is appropriate when a person complains of an act or omission by a person subject to Commission jurisdiction which affects the complainant's substantial interests and which is in violation of a statute enforced by the Commission, or of any Commission rule or order.

~~(3) Orders and Notices. Upon its own motion, the Commission may issue an order or notice initiating a proceeding. Such order or notice shall be served upon all persons named therein. The Commission may also transmit notice of its action to other persons requesting such notice, and may publish such notice in appropriate newspapers of general circulation and the Florida Administrative Weekly.~~

(3)~~(4)~~ Form and Content.

(a) Application. An application shall be governed by the statute or rules applicable to applications for authority. In the absence of a specific form and content, the application shall conform to this rule.

(b) Complaint. Each complaint, in addition to the requirements of paragraph (a) above shall also contain:

1. The rule, order, or statute that has been violated;
2. The actions that constitute the violation;
3. The name and address of the person against whom the complaint is lodged;
4. The specific relief requested, including any penalty sought.

Specific Authority: 350.01(7), 350.127(2), F.S.

Law Implemented: 120.569, 120.57, 350.123, 364.035, 364.05, 364.057, 364.058, 364.335, 364.337, 366.04, 366.06, 366.071, 366.076, 366.8255, 367.031, 367.045, 367.071, 367.081, 367.0814, 367.0817, 367.082, 367.0822, 367.091, 367.101, 367.171, F.S.

History--New 12-21-81, Formerly 25-22.36, Amended 05-03-99, 07/15/00.