

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rules 25-6.0436, Depreciation; 25-7.045, Depreciation; 25-30.032, Applications; 25-30.565, Application for Approval of New or Revised Service Availability Policy or Charges; 25-30.140, Depreciation; 25-24.470, Registration Required; 25-24.511, Application for Certificate; 25-24.512, Application for Approval of Sale, Assignment or Transfer of Certificate; 25-24.567, Application for Certificate; 25-24.569, Application for Approval of Sale, Assignment or Transfer of Certificate; 25-24.720, Application for Certificate; 25-24.730, Application for Approval of Sale, Assignment, or Transfer of Certificate; 25-24.810, Application for Certificate; and 25-24.815, Application for Approval of Assignment or Transfer of Certificate.

DOCKET NO. 080052-OT
ORDER NO. PSC-08-0197-NOR-OT
ISSUED: March 26, 2008

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

NOTICE OF RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rules 25-6.0436, 25-7.045, 25-30.032, 25-30.565, 25-30.140, Depreciation; 25-24.470, 25-24.511, 25-24.512, 25-24.567, 25-24.569, 25-24.720, 25-24.730, 25-24.810, and 25-24.815, Florida Administrative Code, relating to a reduction in the number of copies of filings in various proceedings and an update of the agency's website location of forms.

The attached Notice of Rulemaking will appear in the April 4, 2008 edition of the Florida Administrative Weekly.

DOCUMENT NUMBER-DATE

02265 MAR 26 08

FPSC-COMMISSION CLERK

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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 Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than April 25, 2008.

By ORDER of the Florida Public Service Commission this 26th day of March, 2008.



ANN COLE
Commission Clerk

(S E A L)

CM

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-6.0436: Depreciation

PURPOSE AND EFFECT: The purpose of the rule amendment is to reduce the number of paper copies of depreciation studies that electric companies must file with the Commission. Docket No. 080052-OT

SUMMARY: The rule amendments would decrease the required number of copies of filings in various proceedings.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Regulated companies should have no additional costs because of the proposed rule changes with a slight benefit from fewer copies filed. Customers would have no additional costs because of the proposed rule changes. Small businesses regulated by the Public Service Commission would have a slight benefit from fewer copies filed under the rules. Small cities and counties would have no additional costs. Public Service Commission staff would benefit by not having to handle as many copies from a filing and not having to store the copies.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or 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), 366.05(1), FS

LAW IMPLEMENTED: 350.115, 366.04(2)(f), 366.061(1), FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 (850) 413-6082.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.0436 Depreciation.

(1) – (3) No Change.

(4) A utility filing a depreciation study, regardless if a change in rates is being requested or not, shall submit to the Office of Commission Clerk ~~six~~^{fifteen} copies of the information required by paragraphs (6)(a) through (f) and (h) of this rule and at least three copies of the information required by paragraph (6)(g).

(5) – (10) No Change.

Specific Authority 350.127(2), 366.05(1) FS.

Law Implemented 350.115, 366.04(2)(f), 366.06(1) FS.

History–New 11-11-82, Amended 1-6-85, Formerly 25-6.436, Amended 4-27-88, 12-12-91, 12-11-00.

NAME OF PERSON ORIGINATING PROPOSED RULE: Craig Hewitt, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 and Ray Kennedy, Division of Competitive Markets & Enforcement, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 7, 2007

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-7.045: Depreciation

PURPOSE AND EFFECT: The purpose of the rule amendment is to reduce the number of paper copies of depreciation studies that gas companies must file with the Commission. Docket No. 080052-OT.

SUMMARY: The rule amendments would decrease the required number of copies of filings.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Regulated companies should have no additional costs because of the proposed rule changes with a slight benefit from fewer copies filed. Customers would have no additional costs because of the proposed rule changes. Small businesses regulated by the Public Service Commission would have a slight benefit from fewer copies filed under the rules. Small cities and counties would have no additional costs. Public Service Commission staff would benefit by not having to handle as many copies from a filing and not having to store the copies.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or 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), 366.05(1), FS

LAW IMPLEMENTED: 350.115, FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 (850) 413-6082.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-7.045 Depreciation.

(1) – (3) No Change.

(4) A utility filing a depreciation study, regardless if a change in rates is being requested or not, shall submit to the Office of Commission Clerk office ~~six~~^{fifteen} copies of the information required by paragraphs (6)(a) through (f) and (h) of this rule and at least three copies of the information required by paragraph (6)(g).

(5) – (10) No Change.

Specific Authority 350.127(2), 366.05(1) FS.

Law Implemented 350.115 FS.

History–New 11-11-82, Amended 1-6-85, Formerly 25-7.45, Amended 4-27-88, 12-12-91.

NAME OF PERSON ORIGINATING PROPOSED RULE: Craig Hewitt, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 and Ray Kennedy, Division of Competitive Markets & Enforcement, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 7, 2007

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-24.470: Registration Required

25-24.511: Application for Certificate

25-24.512: Application for Approval of Sale, Assignment or Transfer of Certificate

25-24.567: Application for Certificate

25-24.569: Application for Approval of Assignment or Transfer of Certificate

25-24.720: Application for Certificate

25-24.730: Application for Approval of Sale, Assignment, or Transfer of Certificate

25-24.810: Application for Certificate

25-24.815: Application for Approval of Assignment or Transfer of Certificate

PURPOSE AND EFFECT: The purpose of the rule amendments is to reduce the number of paper copies that companies must file with the Commission. Docket No. 080052-OT

SUMMARY: The rule amendments would decrease the required number of copies of filings in various proceedings and update some filing venues.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Regulated companies should have no additional costs because of the proposed rule changes with a slight benefit from fewer copies filed. Customers would have no additional costs because of the proposed rule changes. Small businesses regulated by the Public Service Commission would have a slight benefit from fewer copies filed under the rules. Small cities and counties would have no additional costs. Public Service Commission staff would benefit by not having to handle as many copies from a filing and not having to store the copies.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or 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: 364.02, 364.04, 364.32, 364.33, 364.335, 364.337, 364.3375, 364.345, FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6082.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.470 Registration Required.

(1) No Change.

(2) An original and ~~two(2)~~~~three(3)~~ copies of the company's initial tariff shall be filed. The tariff filing shall conform to the requirements of Rule 25-24.485, F.A.C.

(3) The company's contact information shall be provided using Form PSC/CMP 31 (08/05), entitled "IXC Registration Form" which is hereby incorporated into these rules. A copy of the form may be obtained from the

Commission's website, at www.floridapsc.com/utilities/telecomm/ or by contacting the Commission's Division of Competitive Markets and Enforcement.

(4) No Change.

Specific Authority 350.127(2) FS.

Law Implemented 364.02, 364.04 FS.

History—New 2-23-87, Amended 8-25-05.

25-24.511 Application for Certificate.

(1) No Change.

(2) An applicant shall submit an application on Form PSC/CMP 32 (~~xx/xx1/06~~), entitled "Application Form for Authority to Provide Pay Telephone Service Within the State of Florida," which is incorporated into this rule by reference and may be obtained from the Commission's website at www.floridapsc.com/utilities/telecomm/ or from the Division of Competitive Markets and Enforcement. A non-refundable application fee of \$250.00 must accompany the filing of all applications.

(3) An original and ~~one copy~~~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(4) No Change.

Specific Authority 350.127(2) FS.

Law Implemented 364.32, 364.33, 364.335, 364.337, 364.3375, 364.345 FS.

History—New 1-5-87, Amended 9-28-89, 4-7-91, 11-20-91, 12-21-92, 2-1-99, 1-5-06.

25-24.512 Application for Approval of Sale, Assignment or Transfer of Certificate.

(1) No Change.

(2) A person seeking to obtain a certificate by sale, assignment or transfer from the holder shall submit an application jointly with the certificate holder on Commission Form PSC/CMP 32 (~~xx/xx1/06~~), entitled "Application Form for Authority to Provide Pay Telephone Service Within the State of Florida". The application form may be obtained from the Commission's website at www.floridapsc.com/utilities/telecomm/ or from the Division of Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must accompany the filing of all applications to cover processing costs. The Commission's acceptance of the application fee does not imply that the application for sale, assignment or transfer of a certificate will be granted.

(3) An original and ~~one copy~~~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(4) – (5) No Change.

Specific Authority 350.127(2) FS.

Law Implemented 364.32, 364.33, 364.335, 364.337, 364.3375, 364.345 FS.

History—New 1-5-87, Amended 5-15-89, 1-5-06.

25-24.567 Application for Certificate.

(1) An applicant desiring to provide shared tenant service shall submit an application on Commission Form PSC/CMP 37 (~~xx/xx1/06~~), which is incorporated into this rule by reference. Form PSC/CMP 37 (~~xx/xx1/06~~), entitled "Application Form for Authority to Provide Shared Tenant Service Within the State of Florida," may be obtained from the Commission's website at www.floridapsc.com/utilities/telecomm/ or by contacting the

Commission's Division of Competitive Markets and Enforcement. A non-refundable application fee of \$250.00 must accompany the filing of all applications.

(2) An original and ~~one copy~~~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) – (4) No Change.

Specific Authority 350.127(2) FS.

Law Implemented 364.33, 364.335, 364.339, 364.345 FS.

History–New 1-28-91, Amended 5-8-91, 11-20-91, 7-29-97, 1-5-06.

25-24.569 Application for Approval of Sale, Assignment or Transfer of Certificate.

(1) A company desiring to obtain a certificate by sale, assignment or transfer from the holder thereof shall submit an application jointly with the certificate holder on Commission Form PSC/CMP 37 (~~xx/xx1/06~~), which is incorporated into this rule by reference. Form PSC/CMP 37 (~~xx/xx1/06~~) is entitled "Application Form for Authority to Provide Shared Tenant Service Within the State of Florida." The application form may be obtained from the Commission's website at www.floridapsc.com/utilities/telecomm/ or by contacting the Commission's Division of Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must accompany each application. The Commission's acceptance of the application fee does not imply that the application for sale, assignment or transfer of a certificate will be granted.

(2) An original and ~~one copy~~~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) – (4) No Change.

Specific Authority 350.127(2) FS.

Law Implemented 364.32, 364.33, 364.335, 364.337, 364.339, 364.345 FS.

History–New 1-28-91, Amended 11-20-91, 7-29-97, 1-5-06.

25-24.720 Application for Certificate.

(1) An applicant seeking to provide Alternative Access Vendor service shall submit an application on Commission Form PSC/CMP 43 (~~xx/xx1/06~~), entitled "Application Form for Authority to Provide Alternative Access Vendor Service within the State of Florida," which is incorporated into this rule by reference. The form may be obtained from the Commission's website at www.floridapsc.com/utilities/telecomm/ or by contacting the Division of Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must accompany each application to cover processing costs. The Commission's acceptance of the application fee does not imply that a certificate will be granted.

(2) An original and ~~one copy~~~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) No Change.

Specific Authority 350.127(2) FS.

Law Implemented 364.33, 364.335, 364.337, 364.345 FS.

History–New 1-8-95, Amended 1-5-06.

25-24.730 Application for Approval of Sale, Assignment, or Transfer of Certificate.

(1) A person seeking to obtain a certificate by sale, assignment or transfer from the holder shall submit an application jointly with the certificate holder on Commission Form PSC/CMP 43 (~~xx/xx1/06~~) (entitled "Application Form for Authority to Provide Alternative Access Vendor Service within the State of Florida"). The application

form may be obtained from the Commission's website at www.floridapsc.com/utilities/telecomm/ or the Division of Competitive Markets and Enforcement. A nonrefundable application fee of \$250.00 must accompany each application to cover processing costs. The Commission's acceptance of the application fee does not imply that the application for sale, assignment or transfer of a certificate will be granted.

(2) An original and ~~one copy~~~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) – (4) No Change.

Specific Authority 350.127(2) FS.

Law Implemented 364.32, 364.33, 364.335, 364.337, 364.345 FS.

History–New 1-8-95, Amended 1-5-06.

25-24.810 Application for Certificate.

(1) An applicant for a certificate shall submit an application on Form PSC/CMP 8-T (~~xx/xx1/06~~), which is incorporated into this rule by reference. Form PSC/CMP 8-T (~~xx/xx1/06~~), entitled "Application Form for Authority to Provide Competitive Local Exchange Service Within the State of Florida", may be obtained from the Commission's website at www.floridapsc.com/utilities/telecomm/ or by contacting the Commission's Division of Competitive Markets and Enforcement. A non-refundable application fee of \$400.00 must accompany the filing of each application.

(2) An original and ~~one copy~~~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

Specific Authority 350.127(2) FS.

Law Implemented 364.335 FS.

History–New 12-27-95, Amended 1-5-06.

25-24.815 Application for Approval of Sale, Assignment or Transfer of Certificate.

(1) A person obtaining a certificate by sale, assignment or transfer from the holder thereof shall submit jointly with the certificate holder an application on Form PSC/CMP 8-T (~~xx/xx1/06~~), which is incorporated into this rule by reference. Form PSC/CMP 8-T (~~xx/xx1/06~~), entitled "Application Form for Authority to Provide Competitive Local Exchange Service Within the State of Florida", may be obtained from the Commission's website at www.floridapsc.com/utilities/telecomm/ or by contacting the Commission's Division of Competitive Markets and Enforcement. A non-refundable application fee of \$400.00 must accompany the filing of each application.

(2) An original and ~~one copy~~~~two copies~~ of the application shall be filed with the Office of Commission Clerk.

(3) – (5) No Change.

Specific Authority 350.127(2) FS.

Law Implemented 364.335, 364.345(2) FS.

History–New 12-27-95, Amended 1-5-06.

NAME OF PERSON ORIGINATING PROPOSED RULE: Craig Hewitt, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 and Ray Kennedy, Division of Competitive Markets & Enforcement, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 7, 2007

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-30.032 Applications

25-30.140: Depreciation

25-30.565: Application for Approval of New or Revised Service Availability Policy or Charges

PURPOSE AND EFFECT: The purpose of the rule amendments is to reduce the number of paper copies that companies must file with the Commission. Docket No. 080052-OT.

SUMMARY: The rule amendments would decrease the required number of copies of filings in various proceedings and update some filing venues.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Regulated companies should have no additional costs because of the proposed rule changes with a slight benefit from fewer copies filed. Customers would have no additional costs because of the proposed rule changes. Small businesses regulated by the Public Service Commission would have a slight benefit from fewer copies filed under the rules. Small cities and counties would have no additional costs. Public Service Commission staff would benefit by not having to handle as many copies from a filing and not having to store the copies.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or 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), 367.121, 367.101, FS

LAW IMPLEMENTED: 350.115, 367.031, 367.045, 367.071, 367.081(12), 367.101, 367.121(1), FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.032 Applications.

(1) Each utility subject to regulation by the Commission shall apply for an initial certificate of authorization, amendment to an existing certificate of authorization, transfer, or name change by filing a completed application and ~~six~~12 copies, in accordance with either Rule 25-30.033, 25-30.034, 25-30.035, 25-30.036, subsection 25-30.037(1) or (2), or Rule 25-30.039, F.A.C. However, a utility shall apply for a transfer to a governmental authority by filing a completed application and two copies, in accordance with subsections 25-30.037(3) and (4), F.A.C. The application shall be filed with the ~~Director~~, Office of Commission Clerk, 2540

Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Sample application forms may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

(2) – (3) No Change.

Specific Authority 350.127(2), 367.121 FS.

Law Implemented 367.031, 367.045, 367.071, 367.083 FS.

History–New 1-27-91, Amended 11-30-93.

25-30.140 Depreciation.

(1) – (6)(a) No Change.

(b) A utility filing for such a revision of depreciation rates shall submit sixten copies of the filing to the office of the Office of Commission Clerk.

(c) – (9) No Change.

Specific Authority 350.127(2), 367.121(1) FS.

Law Implemented 350.115, 367.081(2), 367.121(1) FS.

History–New 3-22-84, Formerly 25-10.32, 25-10.032, Amended 11-10-86, 5-8-88, 11-21-95, 12-4-03.

25-30.565 Application for Approval of New or Revised Service Availability Policy or Charges.

(1) Each application for a service availability policy or charges shall be filed in original and six~~12~~ copies.

(2) – (6) No Change.

Specific Authority 367.121(1), 367.101 FS.

Law Implemented 367.101 FS.

History–New 6-14-83, Amended 11-10-86, 11-30-93.

NAME OF PERSON ORIGINATING PROPOSED RULE: Craig Hewitt, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 and Ray Kennedy, Division of Competitive Markets & Enforcement, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 7, 2007