

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed repeal of Rule 25-4.043,
Response to Commission Staff Inquiries, Rule
25-6.004, Reference to Commission, Rule 25-
6.042, Response to Commission Inquiries and
Rule 25-7.038, Response to Commission Staff
Inquiries.

DOCKET NO. 120230-PU
ORDER NO. PSC-12-0534-NOR-PU
ISSUED: October 9, 2012

The following Commissioners participated in the disposition of this matter:

RONALD A. BRISÉ, Chairman
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to repeal Rules 25-4.043, 25-6.004, 25-6.042, and 25-7.038, Florida Administrative Code, relating to response to Commission Staff Inquiries, and Reference to Commission .

The attached Notices of Rulemaking appeared in the October 9, 2012, edition of the Florida Administrative Register.

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 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 October 30, 2012.

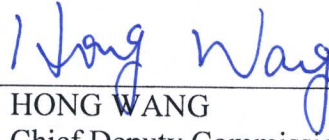
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FPSC-COMMISSION CLERK

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By ORDER of the Florida Public Service Commission this 9th day of October, 2012.



HONG WANG
Chief Deputy Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

CM

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-4.043: Response to Commission Staff Inquiries

PURPOSE AND EFFECT: Repeal of the rule because it is duplicative of other rules.

Docket No. 120230-PU

SUMMARY: The rule requires telecommunication companies to respond to commission inquiries within 15 days. The rule would be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

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.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.183 FS.

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

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, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.043 Response to Commission Staff Inquiries.

~~The necessary replies to inquiries propounded by the Commission's staff concerning service or other complaints received by the Commission shall be furnished in writing within fifteen (15) days from the date of the Commission inquiry.~~

Rulemaking Authority 350.127(2) FS. Law Implemented 364.183 FS. History--New 12-1-68, Formerly 25-4.43,

Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Laura King

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 38, Number 28, July 13, 2012.

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-6.004: Reference to Commission

25-6.042: Response to Commission Staff Inquiries

PURPOSE AND EFFECT: Repeal of the rules because they are unnecessary.

Docket No. 120230-PU

SUMMARY: Rule 25-6.004, F.A.C. addresses referral of interpretation to the Commission of rules and regulations, and Rule 25-6.042, F.A.C. addresses replies to Commission staff inquiries within 15 days. Both rules would be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

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.

RULEMAKING AUTHORITY: 366.05(1) FS.

LAW IMPLEMENTED: 366.05(1), 366.04(2)(f) FS.

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

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, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.004 Reference to Commission.

~~In the event of any dispute involving the interpretation of any of these rules and regulations, any party in interest may refer the matter to the Commission for adjudication.~~

~~Rulemaking Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Amended 7-29-69, Formerly~~

~~25-6.04, Repealed _____..~~

25-6.042 Response to Commission Staff Inquiries.

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~~The necessary replies to inquiries propounded by the Commission's staff concerning service or other complaints received by the Commission shall be furnished in writing within fifteen (15) working days from the date of a Commission inquiry where practicable.~~

Rulemaking Specific Authority 366.05(1) FS. Law Implemented 366.04(2)(f), 366.05(1) FS. History--New 4-13-80, Formerly 25-6.42, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Laura King

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public
Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 10/2/12

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 38,
Number 28, July 13, 2012.

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-7.038: Response to Commission Staff Inquiries

PURPOSE AND EFFECT: Repeal because it is duplicative of other rules.

Docket No. 120230-PU

SUMMARY: The rule requires gas utilities to respond to Commission staff inquiries within 15 days. The rule would be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

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.

RULEMAKING AUTHORITY: 366.05(1) FS

LAW IMPLEMENTED: 366.05(3) FS.

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

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, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-7.038 Response to Commission Staff Inquiries.

~~The necessary replies to inquiries propounded by the Commission's staff shall be furnished in writing within fifteen (15) days from the date of the Commission inquiry.~~

Rulemaking Specific Authority 366.05(1) FS. Law Implemented 366.05(1), 366.05(3) FS. History—Amended 10-20-73, Repromulgated 1-8-75, 5-4-75, Formerly 25-7.38, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Laura King

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Vol. 38, No. 28, July 13, 2012.