

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-7.0851,
F.A.C., Backbilling, and adoption of Rule 25-
7.0852, F.A.C., Unauthorized Use Relating to
Gas Utilities.

DOCKET NO. 120258-GU
ORDER NO. PSC-13-0039-FOF-GU
ISSUED: January 22, 2013

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 ADOPTION OF RULE

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted without changes Rules 25-7.0851 and 25-7.0852, Florida Administrative Code, relating to underbillings and overbillings by gas utilities, and relating to unauthorized use by gas utility customers.

The rules were filed with the Department of State on January 15, 2013, and will be effective on February 4, 2013. A copy of the rules as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this Notice.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

ORDER NO. PSC-13-0039-FOF-GU
DOCKET NO. 120258-GU
PAGE 2

By ORDER of the Florida Public Service Commission this 22nd day of January, 2013.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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25-7.0851 Underbillings and Overbillings Backbilling.

(1) A utility may not backbill customers for any period greater than 12 months for any undercharge in billing which is the result of the utility's mistake. The utility shall allow the customer to pay for the unbilled service over the same time period as the time period during which the underbilling occurred or some other mutually agreeable time period. The utility shall not recover in a ratemaking proceeding any lost revenues which inure to the utility's detriment on account of this provision.

(2) In the event of overbillings, the utility shall refund the overcharge to the customer for the period during which the overcharge occurred, based on available records. If commencement of the overcharging cannot be fixed, then an estimate of the overcharge shall be made, based on past consumption, and refunded to the customer. The amount and period of the adjustment shall be based on the available records. The refund shall not include any part of a minimum charge.

(3) In the event of an overbilling, the customer may elect to receive the refund as a credit to future billings or as a one-time credit.

Specific Authority 367.121 FS. Law Implemented 367.121 FS. History--New 5-8-91, Amended _____.

Rule 25-7.0852 Unauthorized Use

(1) In the event of unauthorized or fraudulent use or meter tampering, the utility shall bill the customer on an estimate of the gas used, based on the customer's past consumption.

Specific Authority 367.121 F.S. Law Implemented 367.121 F.S. History- New _____