

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed adoption of Rule 25-6.0431, F.A.C., Petition for Limited Proceeding and Rule 25-7.0391, F.A.C., Petition for Limited Proceeding, and Amendment of Rule 25-22.0406, F.A.C., Notice and Public Information on General Rate Increase Request by Electric, Gas and Telephone Companies.

DOCKET NO. 130148-PU  
ORDER NO. PSC-13-0429-FOF-PU  
ISSUED: September 20, 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 25-6.0431, 25-7.0391, and 25-22.0406, Florida Administrative Code, relating to requirements for a petition for limited proceedings for electric and gas utilities, updates to general rate case noticing requirements for electric and gas utilities, and limited proceeding noticing requirements for electric and gas utilities.

The rule was filed with the Department of State on September 18, 2013, and will be effective on October 8, 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.

ORDER NO. PSC-13-0429-FOF-PU  
DOCKET NO. 130148-PU  
PAGE 2

By ORDER of the Florida Public Service Commission this 20th day of September, 2013.



---

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

PHP

**25-6.0431 Petition for a Limited Proceeding**

A petition for a limited proceeding shall include:

- (1) A list of all issues the petitioner believes should be decided;
- (2) A detailed statement of the reason(s) why the limited proceeding has been requested and why a limited proceeding is the appropriate type of proceeding for consideration of the requested relief;
- (3) A schedule showing the specific rate base components for which the utility seeks recovery, on both a system and jurisdictional basis, if the utility is requesting recovery of rate base components;
- (4) A detailed description of the expense(s) requested on both a system and jurisdictional basis, if the utility is requesting recovery of operating expenses;
- (5) A schedule showing how the utility proposes to allocate any change in revenues to rate classes, and the proposed rates, if the petition requests a change in retail rates; and
- (6) Any other information that the utility deems relevant.

Rulemaking Authority: 350.127(2), 366.05, 366.06(1), FS. Law Implemented: 366.05(1), 366.06(1), 366.076(1),

FS. History – New \_\_\_\_\_.

**Rule 25-7.0391 Petition for a Limited Proceeding**

A petition for a limited proceeding shall include:

- (1) A list of all issues the petitioner believes should be decided;
- (2) A detailed statement of the reason(s) why the limited proceeding has been requested and why a limited proceeding is the appropriate type of proceeding for consideration of the requested relief;
- (3) A schedule showing the specific rate base components for which the utility seeks recovery, on both a system and jurisdictional basis, if the utility is requesting recovery of rate base components;
- (4) A detailed description of the expense(s) requested on both a system and jurisdictional basis, if the utility is requesting recovery of operating expenses;
- (5) A schedule showing how the utility proposes to allocate any change in revenues to rate classes, and the proposed rates, if the petition requests a change in retail rates; and
- (6) Any other information that the utility deems relevant.

*Rulemaking Authority: 350.127(2), 366.05, 366.06(1), FS. Law Implemented: 366.05(1), 366.06(1), 366.076(1).*

*FS. History – New \_\_\_\_\_.*

**25-22.0406 Notice and Public Information on General Rate Increase Requests and Petitions for Limited Proceedings by Electric, and Gas and Telephone Companies Utilities.**

(1) The provisions of this rule shall be applicable to all requests for general rate increases and to all limited proceedings filed by electric and gas utilities pursuant to Rules 25-6.0431 and 25-7.0391. ~~by electric, gas and telephone companies subject to the Commission's jurisdiction.~~

(2) The following noticing procedures shall apply to requests for a general rate increase:

(a) Upon filing a petition for a general rate increase, ~~the~~ utility shall mail a copy of the petition to the chief executive officer of the governing body of each municipality and county within the service area affected.

(b) The utility shall establish a clearly identifiable link on the utility's website to the address on the Commission's website that provides electronic access to all documents filed in the rate case.

(c) Location of Minimum Filing Requirements.

1. ~~(3)(a)~~ Within 15 days after it has been notified by the Commission that the Minimum Filing Requirements (MFRs) have been met, the utility shall place a copy of the MFRs at its official headquarters and at a location approved by the Commission staff ~~its business office~~ in each municipality in which service hearings were held in the last general rate case of the utility.

2. Within 15 days after the time schedule has been posted on the Commission's website ~~mailed to the utility~~, copies of the MFRs shall be placed in a location approved by Commission staff ~~the utility business office~~ in each additional city in which service hearings are to be held in the current rate case. ~~Upon customer request a copy of the MFRs shall be placed in a utility business office not located in a city where a service hearing is to be held. The copies of the MFRs shall be available for public inspection during the utility's regular business hours.~~

3. ~~(b)~~ In addition to the locations listed above, if the Commission staff determines that the locations listed above will not provide adequate access, the Commission staff will require that copies of the MFRs be placed at other specified locations.

4. Copies of the MFRs shall be available for public inspection during the regular business hours of the location hosting the MFRs and through a link on the utility's website.

(d) Rate Case Synopsis.



~~1.(4)(a)~~ Within 15 days after the time schedule for the case has been posted to the Commission's website, mailed to the utility, the utility shall prepare and submit to the Commission staff for approval and distribute a synopsis of the rate request. The synopsis shall ~~be approved by the Commission or its staff prior to distribution and shall~~ include:

~~a.1~~ A summary of the section of the MFRs showing a comparison of the present and proposed rates for major services;

~~b.2~~ A statement of the anticipated major issues involved in the rate case;

~~c.3~~ A copy of the executive summary filed with the MFRs;

~~d.4~~ A description of the ratemaking process and the time schedule established for the rate case; and

~~e.5~~ The locations at which complete MFRs are available.

~~2. (b)~~ Within 7 days following approval of the synopsis, ~~c~~Copies of the synopsis shall be distributed to the same locations as required for the MFRs, to the main county library within or most convenient to the service area, and to the chief executive officer of each county and municipality within the service area affected.

~~(e)(5)~~ Within ~~15~~ 30 days after the rate case time schedule has been posted on the Commission's website, mailed to the utility, the utility shall prepare and submit a customer notice to Commission staff for approval. The customer notice shall include: ~~begin sending a notice approved by the Commission or its staff to its customers containing:~~

~~1.(a)~~ A statement that the utility has applied for a rate increase and the general reasons for the request;

~~2.(b)~~ The locations at which copies of the MFRs and synopsis are available, including the link on the utility's website;

~~3.(c)~~ The time schedule established for the case, and the dates, times and locations of any hearings that have been scheduled; ~~and~~

~~4.(d)~~ A comparison of current rates and service charges and the proposed new rates and service charges; ~~Such notice shall be completed at least 10 days prior to the first scheduled service hearing.~~

~~5.~~ The docket number assigned to the petition by the Commission's Office of Commission Clerk;

~~6.~~ A statement that written comments regarding the proposed changes in rates and charges should be addressed to the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850, and that such correspondence should include the docket number; and

~~7.~~ A statement that comments regarding service may be made to the Commission's Office of Consumer Assistance

and Outreach at this toll free number: (800) 342-3552.

(f) The utility shall begin sending the notice to customers within 30 days after it has been approved by Commission Staff.

(3) The following noticing procedures shall apply to a petition for a limited proceeding filed pursuant to Rules 25-6.0431 and 25-7.0391:

(a) The utility shall establish a clearly identifiable link on the utility's website to the address on the Commission's website that provides electronic access to all documents filed in the limited proceeding.

(b) Within 15 days after the time schedule for the limited proceeding has been posted to the Commission's website, the utility shall prepare and submit a customer notice to the Commission staff for approval. The customer notice shall contain:

1. A statement that the utility has requested a change in rates, a statement of the amount requested, and the general reason for the request;

2. A statement of where and when the petition and supporting documentation are available for public inspection, including the link on the utility's website;

3. A comparison of the current and proposed rates;

4. The utility's address, telephone number, and website address;

5. The docket number assigned to the petition by the Commission's Office of Commission Clerk;

6. A statement that written comments regarding the proposed changes in rates and charges should be addressed to the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida, 32399-0850, and that such correspondence should include the docket number; and

7. A statement that comments regarding service may be made to the Commission's Office of Consumer Assistance and Outreach at this toll free number: (800) 342-3552.

(c) The utility shall begin sending the notice to customers within 30 days after it has been approved by staff.

(4) All customer notices prepared pursuant to this rule shall be sent to the customer's address of record at the time the notice is issued, in the manner in which the customer typically receives the monthly bill, whether electronically or via U.S. mail.

(5) All customer notices regarding the locations and time of any service hearings or customer meetings shall be sent

to the customer no less than 10 days, or more than 45 days, prior to the first service hearing or customer meeting.

(6) At least 7 days and not more than 20 days prior to any each service hearing or customer meeting, the utility shall have published in a newspaper of general circulation in the area in which the hearing or customer meeting is to be held a display advertisement stating the date, time, location and purpose of the hearing or customer meeting. The advertisement shall be approved by the Commission ~~or its~~ staff prior to publication.

(7) When the Commission issues proposed agency action and a hearing is subsequently held, the utility shall give written notice of the hearing to its customers at least 14 days in advance of the hearing. This notice shall be approved by the Commission ~~or its~~ staff prior to distribution.

(8) After the Commission's issuance of an order granting or denying a rate change, the utility shall give notice to its customers of the order and the revised rates. The notice shall be approved in advance by the Commission ~~or its~~ staff and transmitted to the customers with the first bill containing the new rates.

*Rulemaking-Specific Authority: 350.127(2), 366.05, 366.06(1) FS. Law Implemented: ~~120.569, 120.57, 364.01(4), 364.035(1), 364.04(3), (4), 364.05(1), (2), 364.19, 366.03, 366.041(1), 366.05(1), 366.06(1), 366.076(1) FS.~~*

*History—New 9-27-83, Formerly 25-22.406, Amended 5-27-93, 5-3-99, \_\_\_\_\_.*