

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-30.335,  
F.A.C., Customer Billing.

DOCKET NO. 20200119-WS  
ORDER NO. PSC-2021-0097-NOR-WS  
ISSUED: March 4, 2021

The following Commissioners participated in the disposition of this matter:

GARY F. CLARK, Chairman  
ART GRAHAM  
ANDREW GILES FAY  
MIKE LA ROSA

NOTICE OF RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has proposed the amendment of Rule 25-30.335, Customer Billing, Florida Administrative Code, relating to customer billing by water and wastewater utilities.

The attached Notice of Proposed Rule appeared in the March 4, 2021, 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.

Requests for hearing on the proposed rule, information regarding the statement of estimated regulatory costs, or proposals for a lower cost regulatory alternative must be provided in writing and received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than March 25, 2021.

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By ORDER of the Florida Public Service Commission this 4th day of March, 2021.



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ADAM J. TEITZMAN  
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.

KGWC

Notice of Proposed Rule

**PUBLIC SERVICE COMMISSION**

RULE NO:       RULE TITLE:

25-30.335       Customer Billing

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to update and clarify the water and wastewater customer billing rule requirements, including billing requirements for customers who request temporary discontinuance of service and customers who request a permanent termination of service.

Docket No. 20200119-WS

SUMMARY: The rule specifies what rates and charges a utility must bill and a customer must pay if a customer requests a temporary discontinuance of service or is out of residence and if a customer requests a permanent termination of service and subsequently requests service at the same location within 12 months of termination.

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 SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule amendment will not have an adverse impact on economic growth, business competitiveness, or small business and that there would likely be no transactional costs to the individual and entities, including government entities, required to comply with the rule.

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), 367.121 FS.

LAW IMPLEMENTED: 367.121, 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: Kathryn Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, [kcowdery@psc.state.fl.us](mailto:kcowdery@psc.state.fl.us)

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.335 Customer Billing.

(1) Except as provided in this rule, a utility ~~must shall~~ render bills to customers at regular intervals, and each bill ~~must shall~~ indicate: the billing period covered; ~~the applicable rate schedule~~; beginning and ending meter reading; the amount of the bill; the delinquent date or the date after which the bill becomes past due; and any authorized late payment charge.

(2) No change.

(a) If the utility estimates a bill, ~~the bill statement shall prominently show~~ the word "Estimated" must be prominently displayed on the face of the bill.

(b) The utility is obligated to timely correct any problems within the utility's control causing the need to estimate bills. In no event ~~may shall~~ a utility provide an estimated bill to any one customer account more than four times in any 12-month period due to circumstances that are within the utility's control and service obligations.

(c) Upon issuance of a second estimated bill in a 6-month period, the utility ~~must shall~~ provide the customer with an explicit written explanation for the estimation, along with the utility contact information and the Commission toll-free complaint number, 1(800) 342-3552.

(d) The utility ~~must shall~~ maintain records, for a minimum of two years, detailing the number, frequency, and causes of estimated bills, and those records must ~~which shall~~ be made available upon request to the Commission or to any party to a rate proceeding for the utility.

(3) When service is rendered for less than 50 percent of the normal billing cycle, the utility ~~must shall~~ prorate the base facility charges, flat rates, or rates that include minimum usage as though the normal billing cycle were 30 days, ~~except that~~ the utility may elect not to ~~not~~ issue an initial bill ~~for service~~ if the service is rendered for during a time period ~~which is~~ less than 50 percent of the normal billing cycle. Instead, the utility may elect to issue a single bill combining ~~combine~~ the amount owed for the service rendered during the initial time period with the amount owed for the next billing cycle, ~~and issue a single bill for the combined time period. For service taken under flat rate schedules, 50 percent of the normal charges may be applied.~~

(4) If a customer requests a temporary discontinuance of service or is out of residence:

(a) Utilities that have the base facility charge rate structure must continue to bill the base facility charge.

(b) Utilities that have a flat rate or a rate that includes minimum usage must bill the customer 40 percent of the flat or minimum rate contained on the applicable tariff.

(5) If a customer requests a permanent termination of service and the same customer subsequently requests service at the same location within 12 months of that termination, the utility must bill the customer the base facility charges or 40 percent of the flat rate or rates that include minimum usage for the service termination period. The customer is responsible for payment of all outstanding rates and charges for the termination period in order for service to be restored.

~~(6)(4)~~ A utility may not consider a customer delinquent in paying his or her bill until the 21st day after the utility has mailed or presented the bill for payment.

~~(7)(5)~~ A Each utility ~~must shall~~ establish each point of delivery as an independent customer account and must ~~shall~~ calculate the amount of the bill accordingly, except where physical conditions make it necessary to use additional meters or points of delivery for one class of service to a single customer on the same premises, or where such multiple meters or delivery points are used for the convenience of the utility.

~~(8)(6)~~ A utility may not incorporate municipal or county franchise fees into the amount indicated as the cost for service on the customer's bill. Rather, the utility ~~must shall~~ show any such franchise fee as a separate item.

~~(9)(7)~~ The utility ~~must shall~~ maintain a record of each customer's account for the most current 2 years so as to permit reproduction of the customer's bills during the time that the utility provided service to that customer.

~~(8)~~ If a utility utilizes the base facility and usage charge rate structure and does not have a Commission authorized vacation rate, the utility shall bill the customer the base facility charge regardless of whether there is any usage.

*Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented 367.091, 367.121 FS. History—New 9-14-74, Amended 6-21-79, Formerly 25-10.97, 25-10.097, Amended 11-10-86, 11-30-93, 6-17-13,\_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Shannon Hudson

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 2, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 46, Number 5, January 8, 2020.