

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rule 25-6.0131,)	DOCKET NO. 911130-EI
F.A.C., Reduction to Regulatory)	ORDER NO. 25585
Assessment Fee for Investor-owned)	ISSUED: 1/8/92
Electric Utilities.)	

NOTICE OF RULEMAKING

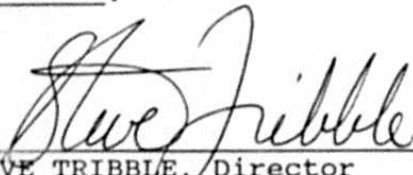
NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to adopt amend Rule 25-6.0131, F.A.C., relating to reduction to regulatory assessment fee for investor-owned electric utilities.

The attached Notice of Rulemaking has appeared in the December 27, 1991 edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Thursday, February 6, 1992
 Room 122, Fletcher Building
 101 East Gaines Street
 Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32399, no later than January 17, 1992.

By Direction of the Florida Public Service Commission, this
8th day of JANUARY, 1992.


 STEVE TRIBBLE, Director
 Division of Records & Reporting

(S E A L)

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

ORDER NO. 25585
DOCKET NO. 911130-EI
PAGE 2

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 911130-EI

RULE TITLE:

RULE NO.:

Regulatory Assessment Fees; Investor-owned

Electric Companies, Municipal Electric

Utilities, Rural Electric Cooperatives

25-6.0131

PURPOSE AND EFFECT: This rule sets the regulatory assessment fee paid by investor-owned electric companies, as provided by Section 350.113, Florida Statutes. The rule is being amended because the current fee produces more revenue than is necessary to meet the cost of regulating these utilities.

SUMMARY: 350.113

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT OF THIS RULE:

The decrease in the regulatory investment fee will contribute to operating income for each investor-owned electric utility and will benefit shareholders in the short run. The fee decrease should not change the Public Service Commission's workload nor will it impact costs.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS

ORDER NO. 25585
DOCKET NO. 911130-EI
PAGE 3

NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., Thursday, February 6, 1992

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-6.0131 Regulatory Assessment Fees; Investor-owned Electric Companies, Municipal Electric Utilities, Rural Electric Cooperatives.

(1) As applicable and as provided in s. 350.113, F.S. (1985), each company, utility, or cooperative shall remit to the Commission a fee based upon its gross operating revenue. This fee shall be referred to as a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$25 shall be imposed.

(a) On January 30, 1992, eEach investor-owned electric company shall pay a regulatory assessment fee in the amount of 0.05 ~~one-eighth of one~~ percent of gross operating revenues derived from intrastate business, excluding sales for resale between public utilities, municipal electric utilities and rural electric cooperatives or any combination thereof. Beginning on July 30, 1992 and continuing thereafter, each investor-owned electric company shall pay a regulatory assessment fee in the amount of

ORDER NO. 25585
DOCKET NO. 911130-EI
PAGE 4

0.08330 percent of gross operating revenues derived from intrastate business, excluding sales for resale between public utilities, municipal electric utilities and rural electric cooperatives or any combination thereof.

(b) Each municipal electric utility and rural electric cooperative shall pay a regulatory assessment fee in the amount of one-sixty-fourth of one percent of its gross operating revenues derived from intrastate business, excluding sales for resale between public utilities, municipal electric utilities and rural cooperatives or any combination thereof.

(2) Regulatory assessment fees are due each January 30 for the preceding period or any part of the period from July 1 until December 31, and on July 30 for the preceding period or any part of the period from January 1 until June 30. Each company, utility, or cooperative shall have up to and including the due date in which to:

- (a) Remit the total amount of its fee, or
- (b) Remit an amount which the company, utility, or cooperative estimates is its full fee, or
- (c) Seek and receive from the Commission a 30-day extension of its due date.

(3) Where the company, utility, or cooperative remits less than its full fee pursuant to subsection (2)(b) of this Rule, the remainder of the full fee shall be due on or before the 30th day

ORDER NO. 25585
DOCKET NO. 911130-EI
PAGE 5

from the due date and shall, where the amount remitted was less than 90% of the total regulatory assessment fee, include interest as provided by subsection (5)(b) of this Rule.

(4) Where a company, utility, or cooperative receives a 30-day extension of its due date pursuant to subsection (2)(c) of this rule, then the entity shall remit a charge in addition to the regulatory assessment fee, as set out in s. 350.113(5), F.S. (1985).

(5) The delinquency of any amount due to the Commission from the company, utility, or cooperative pursuant to the provisions of s. 350.113, F.S. (1985) and this rule, begins with the first day after any date established as the due date either by operation of this rule or by an extension pursuant to this rule.

(a) A penalty, as set out in s. 350.113, F.S. (1985) shall apply to any such delinquent amounts.

(b) Interest at the rate of 12% per annum shall apply to any such delinquent amounts.

Specific Authority: 350.127(2), F.S.

Law Implemented: 350.113, F.S.

History: New 5/18/83, Amended 2/9/84, formerly 25-6.131, Amended 6/18/86, 10/16/86, 3/7/89, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Evelyn Sewell, Division of Administration

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE:

ORDER NO. 25585
DOCKET NO. 911130-EI
PAGE 6

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: December 17, 1991

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

M E M O R A N D U M

JANUARY 8, 1992

TO : STEVE TRIBBLE, DIRECTOR, DIVISION OF RECORDS & REPORTING
FROM: MARSHA F. RULE, ASSOCIATE GENERAL COUNSEL *MR*
RE : DOCKET NO. 911130-EI, RULE 25-6.0131

Att 25585

Attached please find a Notice of Rulemaking for distribution by your office.

Industry distribution is:

Electric (IOU)
 Electric (Muni & Coop)
 Electric (Safety)
 Gas (IOU)
 Gas (Safety)
 Telephone (LEC)
 Telephone (IXC)
 Telephone (PATS)
 Telephone (Shared Tenant)
 Water and Sewer
 Docket only

This document has the following priority:

Must be issued today.
 Must be issued within 48 hours.
 Must be issued within 5 working days.

MER
Attachment
cc: File
W. Terrell
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00264 JAN-8 1992
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