

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Amendment to) DOCKET NO. 920572-EI
Rule 25-6.015, F.A.C., Location) ORDER NO. PSC-93-0385-NOR-EI
and Preservation of Records.) ISSUED: 03/11/93
_____)

NOTICE OF RULEMAKING

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-6.015, F.A.C., relating to location and preservation of records.

The attached Notice of Rulemaking will appear in the March 19, 1993, edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Wednesday, April 14, 1993
Room 122, Fletcher Building
101 East Gaines Street

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 April 9, 1993.

By ORDER of the Florida Public Service Commission this 11th day of March, 1993.

STEVE TRIBBLE, Director
Division of Records & Reporting

(S E A L)

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by: Kay Hegan
Chief, Bureau of Records

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ORDER NO. PSC-93-0385-NOR-EI
DOCKET NO. 920572-EI
PAGE 2

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 920572-EI

RULE TITLE: RULE NO.:

Location and Preservation of Records 25-6.015

PURPOSE AND EFFECT: The amended rule imposes new requirements for investor-owned electric utilities regarding the location and length of time they keep required documents.

SUMMARY: The Federal Energy Regulatory Commission regulation incorporated by reference into the rule is updated. Utilities are required to maintain original source documents for a minimum of three years, but may obtain a waiver if they employ an acceptable imaging system. New requirements are imposed for conversion of source documents to other media.

RULEMAKING AUTHORITY: 366.05(1), 350.127(2)

LAW IMPLEMENTED: 366.05(1)

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

TIME AND DATE: 9:30 A.M., Wednesday, April 14, 1993

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:

25-6.015 Location and Preservation of Records.

(1) All records that a utility is required to keep by reason of these or other rules prescribed by the Commission shall be kept at the office or offices of the utility within this state, unless otherwise authorized by the Commission.

(2) Any utility authorized to keep its records outside of the state shall reimburse the Commission for the reasonable travel expense of the Commission's representative during any out-of-state audit.

(3) All records shall be preserved in accordance with the Federal Energy Regulatory Commission's regulations, Title 18, Subchapter C, Part 125, Code of Federal Regulations, entitled "Preservation of Records of Public Utilities and Licensees" as revised, April 1, 1991⁸⁷, which is hereby incorporated by reference into this rule, with the exception of Item 64 (Records of predecessors and former associates) of the Schedule of records and periods of retention contained in Title 18, Subchapter C, Section 125.3, Code of Federal Regulations. Instead, utilities shall retain records of acquired companies until permission for

ORDER NO. PSC-93-0385-NOR-EI
DOCKET NO. 920572-EI
PAGE 5

History: Amended 7/29/69, 7/19/72, 1/11/76, 9/28/81, 11/18/82,
formerly 25-6.15, Amended 10/1/86, 11/02/87, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Mailhot, Division
of Auditing and Financial Analysis.

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE:
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: October 6, 1992

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.

Any person requiring some accommodation at this hearing because
of a physical impairment should call the Division of Records and
Reporting at (904) 488-8371 at least five calendar days prior to
the hearing. If you are hearing or speech impaired, please
contact the Florida Public Service Commission using the Florida
Relay Service, which can be reached at: 1-800-955-8771 (TDD).

disposal is petitioned for and approved by the Florida Public Service Commission.

(a) However, all original source documents retained as required by Title 18, Subchapter C, Part 125, Code of Federal Regulations shall be maintained in their original form for a minimum of three years after the date the document was created or received by the utility. The Commission may waive the requirement that documents be retained in their original form upon a showing by a utility that it employs an optical disk imaging system with write-once-read-many capability, or other system that produces comparable results, if the system consistently produces clear, readable copies that are substantially equivalent to the originals, and handwritten notations on documents are clearly reproduced.

(b) The utility shall maintain written procedures governing the conversion of source documents to another medium such as microfilm or microfiche, which procedures ensure the authenticity of documents and completeness of records. Use of the new medium must not inhibit the audit process. Records maintained in the new medium must be easy to search and easy to read.

Specific Authority: 366.05(1), 350.127(2), F.S.

Law Implemented: 366.05(1), F.S.