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FLORIDA PUBLIC SERVICE COMMISSION

RULE TITLE:

RULE NO.:

Measuring Customer Service

25-6.049

PURPOSE AND EFFECT: The proposed amendment would eliminate the requirement to individually meter time-share plans.

SUBJECT AREA TO BE ADDRESSED: Measuring customer service for time-share plans.

SPECIFIC AUTHORITY: Section 366.05(1), F.S.

LAW IMPLEMENTED: Section 366.05(3), F.S.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD ON THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 a.m., December 17, 1996

PLACE: Room 152, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF RECORDS AND REPORTING, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: David Wheeler, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: 25-6.049, F.A.C., Measuring Customer Service.

(1) All energy sold to customers, ~~except that sold under flat rate schedule,~~ shall be measured by commercially acceptable measuring devices owned and maintained by the utility, except where it is impractical to meter loads, such as street lighting,

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FPSC-RECORDS/REPORTING

1 | temporary or special installations, in which case the consumption  
2 | may be calculated, or billed on demand or connected load rate or as  
3 | provided in the utility's filed tariff.

4 |       (2) When there is more than one meter at a location the  
5 | metering equipment shall be so tagged or plainly marked as to  
6 | indicate the circuit metered. Where similar types of meters record  
7 | different quantities, (kilowatt-hours and reactive power, for  
8 | example), metering equipment shall be tagged or plainly marked to  
9 | indicate what the meters are recording.

10 |       (3) Meters which are not direct reading shall have the  
11 | multiplier plainly marked on the meter. All charts taken from  
12 | recording meters shall be marked with the date of the record, the  
13 | meter number, customer, and chart multiplier. The register ratio  
14 | shall be marked on all meter registers. The watt-hour constant for  
15 | the meter itself shall be placed on all watt-hour meters.

16 |       (4) Metering equipment shall not be set "fast" or "slow" to  
17 | compensate for supply transformer or line losses.

18 |       (5)(a) Individual electric metering by the utility shall be  
19 | required for each separate occupancy unit of new commercial  
20 | establishments, residential buildings, condominiums, cooperatives,  
21 | marinas, and trailer, mobile home and recreational vehicle parks  
22 | for which construction is commenced after January 1, 1981. ~~This~~  
23 | ~~requirement shall apply whether or not the facility is engaged in~~  
24 | ~~a time sharing plan.~~ Individual electric meters shall not,  
25 | however, be required:

CODING: Words underlined are additions; words in  
~~struck through~~ type are deletions from existing law.

1 1. In those portions of a commercial establishment where the  
2 floor space dimensions or physical configuration of the units  
3 are subject to alteration, as evidenced by non-structural  
4 element partition walls, unless the utility determines that  
5 adequate provisions can be made to modify the metering to  
6 accurately reflect such alterations;

7 2. For electricity used in central heating, ventilating and  
8 air conditioning systems, or electric back up service to  
9 storage heating and cooling systems;

10 3. For electricity used in specialized-use housing  
11 accommodations such as hospitals, nursing homes, living  
12 facilities located on the same premises as, and operated in  
13 conjunction with, a nursing home or other health care facility  
14 providing at least the same level and types of services as a  
15 nursing home, convalescent homes, facilities certificated  
16 under Chapter 651, Florida Statutes, college dormitories,  
17 convents, sorority houses, fraternity houses, motels, hotels,  
18 and similar facilities;

19 4. For separate, specially-designated areas for overnight  
20 occupancy at trailer, mobile home and recreational vehicle  
21 parks and marinas where permanent residency is not  
22 established, ~~and for marinas where living aboard is prohibited~~  
23 ~~by ordinance, deed restriction, or other permanent means.~~

24 5. For new and existing time-share plans, provided that all  
25 of the occupancy units which are served by the master meter or

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1 meters are committed to a time-share plan as defined in  
2 Section 721, Florida Statutes, and none of the occupancy units  
3 are used for permanent occupancy. When a time-share plan is  
4 converted from individual metering to master metering, the  
5 customer must reimburse the utility for the costs incurred by  
6 the utility for the conversion. These costs shall include,  
7 but not be limited to, the undepreciated cost of any existing  
8 distribution equipment which is removed or transferred to the  
9 ownership of the customer, plus the cost of removal or  
10 relocation of any distribution equipment, less the salvage  
11 value of any removed equipment.

12 (b) For purposes of this rule:

13 1. "Occupancy unit" means that portion of any commercial  
14 establishment, single and multi-unit residential building, or  
15 trailer, mobile home or recreational vehicle park, or marina  
16 which is set apart from the rest of such facility by clearly  
17 determinable boundaries as described in the rental, lease, or  
18 ownership agreement for such unit.

19 ~~2. "Time sharing plan" means any arrangement, plan, scheme,~~  
20 ~~or similar device, whether by membership, agreement, tenancy~~  
21 ~~in common, sale, lease, deed, rental agreement, license, or~~  
22 ~~right to use agreement or by any other means, whereby a~~  
23 ~~purchaser, in exchange for a consideration, receives a right~~  
24 ~~to use accommodations or facilities, or both, for a specific~~  
25 ~~period of time less than a full year during any given year,~~

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1 ~~but not necessarily for consecutive years, and which extends~~  
2 ~~for a period of more than three years.~~

3 2.3 The construction of a new commercial establishment,  
4 residential building, marina, or trailer, mobile home or  
5 recreational vehicle park shall be deemed to commence on the  
6 date when the building structure permit is issued.

7 ~~4. The individual metering requirement is waived for any~~  
8 ~~time sharing facility for which construction was commenced~~  
9 ~~before December 23, 1982, in which separate occupancy units~~  
10 ~~were not metered in accordance with subsection (5)(a).~~

11 3.5 "Overnight Occupancy" means use of an occupancy unit for  
12 a short term such as per day or per week where permanent  
13 residency is not established.

14 4.6 The term "cost", as used herein means only those charges  
15 specifically authorized by the electric utility's tariff,  
16 including but not limited to the customer, energy, demand,  
17 fuel, and conservation charges made by the electric utility  
18 plus applicable taxes and fees to the customer of record  
19 responsible for the master meter payments. The term does not  
20 include late payment charges, returned check charges, the cost  
21 of the distribution system behind the master meter, the cost  
22 of billing, and other such costs.

23 (6)(a) Where individual metering is not required under  
24 Subsection (5)(a) and master metering is used in lieu thereof,  
25 reasonable apportionment methods, including sub-metering may be

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1 | used by the customer of record or the owner of such facility solely  
2 | for the purpose of allocating the cost of the electricity billed by  
3 | the utility.

4 |       (b) Any fees or charges collected by a customer of record for  
5 | electricity billed to the customer's account by the utility,  
6 | whether based on the use of sub-metering or any other allocation  
7 | method, shall be determined in a manner which reimburses the  
8 | customer of record for no more than the customer's actual cost of  
9 | electricity.

10 |       (7) Each utility shall develop a standard policy governing  
11 | the provisions of sub-metering as provided for herein. Such policy  
12 | shall be filed by each utility as part of its tariffs. The policy  
13 | shall have uniform application and shall be nondiscriminatory.

14 | Specific Authority 366.05(1) FS.

15 | Law Implemented 366.05(3) FS.

16 | History--Amended 7-29-69, 11-26-80, 12-23-82, 12-28-83, Formerly  
17 | 25-6.49, Amended 7-14-87, 10-5-88, \_\_\_\_\_.

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