

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO: 971444-GU

IN RE: PROPOSED RULES 25-7.100, F.A.C., ANNUAL REPORTS  
AND 25-7.101, F.A.C., REGULATORY ASSESSMENT FEES (NATURAL GAS  
TRANSMISSION COMPANIES)

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: November 7, 1997

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rules 25-7.100 and 25-7.101, Florida Administrative Code, to adopt provisions relating to annual reports and regulatory assessment fees of natural gas transmission companies.

The attached Notice of Proposed Rule Development will appear in the November 14, 1997, edition of the Florida Administrative Weekly. If timely requested and not deemed unnecessary by the Commission, a rule development workshop will be held at the following time and place:

Florida Public Service Commission  
9:30 a.m., December 17, 1997  
Betty Easley Conference Center  
Room 152, 4075 Esplanade Way  
Tallahassee, Florida

The request must be submitted in writing and received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, no later than December 5, 1997.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least five calendar days prior to the hearing. Any person who is hearing or speech impaired, should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

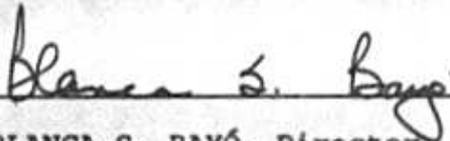
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FPSC-RECORDS/REPORTING

DOCKET NO. 971444-GU  
PAGE 2

By Direction of the Florida Public Service Commission, this  
7th day of November, 1997.

  
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BLANCA S. BAYÓ, Director  
Division of Records & Reporting

( S E A L )

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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).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-7.100 Annual Report

(1) Each natural gas transmission company shall annually file the following information with the Commission on a calendar year basis:

(a) Comparative Balance Sheet for the reporting year and the prior year

(b) Comparative Statement of Income for the reporting year and the prior year

(c) Statement of Retained Earnings for the reporting year.

(2) The report shall be due on or before April 30 for the preceding calendar year.

(3) A company may file a written request for an extension of time with the Division of Auditing and Financial Analysis no later than April 30. One extension of 31 days will be granted upon request. A request for a longer extension must be accompanied by a statement of good cause and shall specify the date by which the report will be filed.

(4) The company shall file an original and three copies of the information required in subsection (1).

Specific Authority: 368.104, F.S.

Law Implemented: 368.109, F.S.

History--New

25-7.101 Regulatory Assessment Fees

(1) As provided in s. 368.109, F.S., each natural gas transmission company shall pay a regulatory assessment fee. The regulatory assessment fee shall be 0.25 percent annually of the natural gas transmission company's gross operating revenue derived from intrastate business, excluding sales of gas for resale to natural gas transmission companies, public utilities that supply gas, municipal gas utilities and gas districts.

(2) Regulatory assessment fees are due each January 30 for the preceding 6 month period or any part of the period from July 1 until December 31, and on July 30 for the preceding 6 month period or any part of the period from January 1 until June 30.

(3) If the due date falls on a Saturday, Sunday, or a legal holiday, the due date is extended to the next business day. If the fees are sent by registered mail, the date of the registration is the United States Postal Service's postmark date. If the fees are sent by certified mail and the receipt is postmarked by a postal employee, the date on the receipt is the United States Postal Service's postmark date. The postmarked certified mail receipt is evidence that the fees were delivered. Regulatory assessment fees are considered paid on the date they are postmarked by the United States Postal Service or received and logged in by the Commission's Division of Administration in Tallahassee. Fees are considered timely paid if properly addressed, with sufficient postage, and postmarked no later than the due date.

(4) Commission Form PSC/ADM (xx/97), entitled "Natural Gas Transmission Pipeline Company Regulatory Assessment Fee Return" is

incorporated into this rule by reference and may be obtained from the Commission's Division of Administration. The failure of a utility to receive a return form shall not excuse the utility from its obligation to timely remit the regulatory assessment fees.

(5) Each natural gas transmission company 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 estimates is its full fee.

(6) Where the company remits less than its full fee, the remainder of the full fee shall be due on or before the 30th day from the due date.

(7) A company may request from the Division of Administration a 30-day extension of its due date for payment of regulatory assessment fees or for filing its return form.

(a) The request for extension must be written and accompanied by a statement of good cause.

(b) The request for extension must be received by the Division of Administration at least two weeks before the due date.

(8) A Regulatory Assessment Fee Return must be completed, signed, and filed even if there are no revenues to report.

Specific Authority: 368.104, F.S.

Law Implemented: 368.109, F.S.

History--New