

FLORIDA PUBLIC SERVICE COMMISSION

DIVISION OF APPEALS

DOCKET NO. 971444-GU

RULE NO:

RULE TITLE:

25-7.100

Annual Report

25-7.101

Regulatory Assessment Fees

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Volume 24, No. 12, March 27, 1998, issue of the Florida Administrative Weekly:

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

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FPSC-RECORDS/REPORTING

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 244 (2/98) 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 remit the total amount of its fee.

~~(6) 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.~~

~~(7) The delinquency of any amount due to the Commission from the company, pursuant to the provisions of s. 368.109, F.S. and this rule, begins with the first calendar day after any date established as the due date either by operation of this rule or by an extension to this rule.~~

~~(a) A penalty shall be added to the amount of fee due, in the amount of 5% for each 30 days or fraction thereof, not to exceed a total penalty of 25%.~~

~~(b) In addition, interest shall be added in the amount of 1% for each 30 days or fraction thereof, not to exceed a total of 12% per year.~~

(6)(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., 368.111, F.S.

History--New

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