

ORIGINAL

CERTIFICATION OF  
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES  
FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice

ACK \_\_\_\_\_ not including days an administrative determination was pending;

AFA \_\_\_\_\_

APP \_\_\_\_\_ 91

CAF \_\_\_\_\_

CMU \_\_\_\_\_

CTR \_\_\_\_\_ not less than 21 days nor more than 45 days from the date of

EAG \_\_\_\_\_ publication of the notice of change; or

LEG \_\_\_\_\_

LIN \_\_\_\_\_  (d) Are filed more than 90 days after the notice, but

OPC \_\_\_\_\_ not less than 14 nor more than 45 days after the adjournment of

RCH \_\_\_\_\_

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REGULATORY REPORTING

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the final public hearing on the rule; or

✓/ (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

✓/ (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

✓/ (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

✓/ (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

✓/ (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No.

25-40.001

59 APR -8 PM 3:04  
STATE OF FLORIDA  
DEPARTMENT OF STATE

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Under the provision of subparagraph 120.54(3)(e)6., F.S.,  
the rules take effect 20 days from the date filed with the  
Department of State or a later date as set out below:

Effective: April 28, 1999  
(month) (day) (year)

Blanca S. Bayó  
BLANCA S. BAYÓ, Director  
Division of Records & Reporting

7  
Number of Pages Certified

(S E A L)

CTM

1 25-40.001 Exceptions to the Uniform Rules of Procedure. The  
 2 following provisions of the Commission's rules are exceptions to  
 3 the uniform rules of procedure:

<u>UNIFORM RULE</u>	<u>COMMISSION RULE THAT IS AN EXCEPTION</u>
<u>CHAPTER 28-102</u> <u>AGENDA AND SCHEDULING OF MEETINGS AND WORKSHOPS</u>	<u>25-22.0021</u> <u>Agenda Conference Participation.</u>
<u>28-102.001</u> <u>Notice of Public Meeting, Hearing, or Workshop.</u>	<u>25-22.001</u> <u>Notice of Meeting or Workshop.</u>
<u>28-102.002(2)</u> <u>Agenda of Meetings, Hearings, and Workshops.</u>	<u>25-22.002</u> <u>Agenda of Meetings.</u>
<u>CHAPTER 28-103</u> <u>RULEMAKING</u>	<u>25-22.017</u> <u>Rulemaking Proceeding -- Adoption.</u>

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

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<u>CHAPTER 28-106</u>	<u>25-22.006</u>
<u>DECISIONS DETERMINING</u>	<u>Confidential Information.</u>
<u>SUBSTANTIAL INTERESTS</u>	<u>25-22.029</u>
	<u>Point of Entry Into Proposed</u>
	<u>Agency Action Proceedings.</u>
	<u>25-22.0376</u>
	<u>Reconsideration of Non-Final</u>
	<u>Orders.</u>
	<u>25-22.0406(7)-(8)</u>
	<u>Notice and Public Information</u>
	<u>on General Rate Increase</u>
	<u>Requests by Electric, Gas and</u>
	<u>Telephone Companies.</u>
	<u>25-22.0407(8) and (10)</u>
	<u>Notice of and Public</u>
	<u>Information for General Rate</u>
	<u>Increase Requests by Water and</u>
	<u>Wastewater Utilities.</u>
	<u>25-22.058</u>
	<u>Oral Argument.</u>
	<u>25-22.060</u>
	<u>Motion for Reconsideration.</u>
<u>28-106.104</u>	<u>25-22.028</u>
<u>Filing.</u>	<u>Filing, Number of Copies.</u>

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<u>28-106.205</u> <u>Intervention.</u>	<u>25-22.039</u> <u>Intervention.</u>
<u>28-106.208</u> <u>Notice of Hearing.</u>	<u>25-22.029</u> <u>Point of Entry into PAA</u> <u>Proceeding.</u>
<u>28-106.212</u> <u>Subpoenas.</u>	<u>25-22.0405</u> <u>Notices of Hearings.</u>
<u>CHAPTER 28-107 LICENSING</u>	<u>25-22.045</u> <u>Subpoenas.</u>
	<u>25-22.075</u> <u>Transmission Line</u> <u>Permitting Proceedings.</u>
	<u>25-22.080</u> <u>Electrical Power</u> <u>Plant Permitting Proceedings.</u>

Specific Authority: 120.54(5)(a)3., F.S.  
Law Implemented: 120.54(5)(a)3., F.S.  
History: New \_\_\_\_\_.

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Rule 25-40.001  
Docket No. 980500-PU

**SUMMARY OF RULE**

Rule 25-40.001 provides the list of rules that are an exception to the Uniform Rules of Procedure.

**SUMMARY OF HEARINGS ON THE RULE**

No hearing was requested and none was held.

**FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE**

To comply with section 120.54(5)(a)3., F.S., each agency that adopts rules that provide exceptions to the Uniform Rules of Procedure must publish a separate chapter in the F.A.C. that delineates clearly the agency's rules that provide exceptions.

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CLERK OF STATE  
TALLAHASSEE, FLORIDA