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MAIL ROOM

January 21, 2000

Ms. Blanca Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oaks Boulevard
Tallahassee, FL 32301 32390-0850

RE: Docket No. 981104-EU

Dear Ms. Bayo:

LEAF offers the following comments on the rule draft proposed in the Commission's Notice of Rulemaking Order No. PSC-99-2010-NOR-EU.

At the December 2, 1999, workshop in the above-referenced docket, the Commission staff indicated that the subject amendment is intended to clarify the Commission's current policy that a building may only be master metered if it was master metered before 1981 and has never converted to individual meters. LEAF agrees with this purpose. However, we are concerned that the amendment proposed may not achieve it.

In particular, we are concerned the text might be read as authorizing master metering of building that was constructed before 1981 with individual meters, so long as that building is master metered now. That is because Rule 25-6.049(5)(a)1., as proposed, indicates that pre-1981 buildings are excused from the individual metering requirement if they are not currently individually metered. One way to resolve this would be to add the following as the last sentence to 25-6.149(5)(a)1.:

Provided, however, that when any such pre-1981 facility was individually metered when built, it may not thereafter be converted to a master meter.

We appreciate your consideration of these comments.

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Sincerely,

Debra Swim

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Senior Attorney
Energy Advocacy Program

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