

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

IN RE: PROPOSED ADOPTION OF NEW RULE 25-6.116, F.A.C.,  
UTILITY COLLECTION OF UNDERGROUND FEES

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: December 1, 2000

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rule 25-6.116, Florida Administrative Code, to adopt provisions relating to utility collection of underground fees.

The attached Notice of Proposed Rule Development will appear in the December 8, 2000, 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., Monday, January 8, 2001  
Betty Easley Conference Center  
Room 152, 4075 Esplanade Way  
Tallahassee, Florida 32399-0850

The request must be submitted in writing and received by Richrd C. Bellak, Division of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, no later than December 22, 2000.

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 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

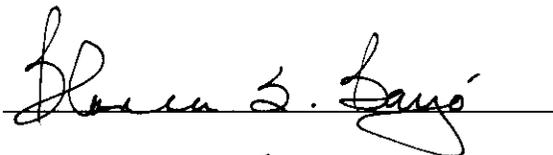
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By Direction of the Florida Public Service Commission, this  
1st day of December, 2000.

A handwritten signature in cursive script, reading "Blanca S. Bayó", is written over a horizontal line.

BLANCA S. BAYÓ, Director  
Division of Records & Reporting

( S E A L )

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NOTICE OF PROPOSED RULE DEVELOPMENT

FLORIDA PUBLIC SERVICE COMMISSION

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RULE TITLE:

RULE NO.:

Utility Collection of Underground Fees 25-6.116

PURPOSE AND EFFECT: The purpose of the rule is to provide a mechanism for utilities to act as the billing and collection agent for local governments to recover the cost of placing electric utility facilities underground from customers within the local government's jurisdiction. The effect of the rule is that local governments will have an option available to them for financing undergrounding when they believe it is in their public interest.

SUBJECT AREA TO BE ADDRESSED: This rule addresses the subject area of local government-required undergrounding of electric utility facilities and the use of utilities to bill for and collect the costs of undergrounding from those residing in the area affected.

SPECIFIC AUTHORITY: 366.03, 366.04, 366.05, FS

LAW IMPLEMENTED: 366.03, 366.04, 366.05, FS

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

TIME AND DATE: 9:30 a.m., January 8, 2001

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PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO RICHARD C. BELLAK, DIVISION OF APPEALS, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

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 48 hours 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Trapp, Division of Policy Analysis & Intergovernmental Liaison, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-6.116 Utility Collection of Underground Fees

1) Each investor-owned electric utility shall file a tariff which provides that:

a) Pursuant to Rules 25-6.078, 25-6.061, 25-6.064, and 25-6.115, a municipal or county government which requires underground electric service within its jurisdiction shall be

responsible for paying any applicable contribution in aid of construction to the serving utility for undergrounding the electric utility facilities prior to commencement of construction; and

b) At the request of such municipal or county government, the serving utility shall impose a surcharge on the electric bills of its customers within the jurisdiction of the municipal or county government to recover the contribution in aid of construction paid by the municipal or county government to the serving utility; and

c) The utility shall remit funds received from such surcharge to the municipal or county government requesting the surcharge according to a schedule agreed upon by the utility and the municipal or county government.

2) This rule shall not be construed as granting any municipal or county government the authority to require underground electric service. This subsection only specifies the method of collection of a customer surcharge, if a municipal or county government, having authority to do so, requires underground electric service within its jurisdiction.

Specific Authority: 366.03, 366.04, 366.05, FS

Law Implemented: 366.03, 366.04, 366.05, FS

History-New \_\_\_\_\_.