

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF WORKSHOP

TO

ALL INTERESTED PERSONS

UNDOCKETED - ELECTRONIC FILINGS

ISSUED: December 5, 2000

NOTICE is hereby given that the Electronic Filings Task Force of the Florida Public Service Commission will conduct a workshop to which all persons are invited, at the following time and place:

10:00 a.m., Monday, January 22, 2001
Room 148, Betty Easley Conference Center
4075 Esplanade Way
Tallahassee, Florida

PURPOSE

The Electronic Filings Task Force is developing a plan for the filing of documents at the Public Service Commission by electronic transmission. The Task Force will prepare a recommendation to the Commissioners early in 2001. We seek the input of people, practitioners and entities on issues being considered by the Task Force.

In preparation for the workshop, the Electronic Filings Task Force requests timely responses and comments on questions and materials attached. All comments and responses should be sent to Cathy Bedell by e-mail at cbedell@psc.state.fl.us, or by fax at (850)413-6198, or by U.S. mail at 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850. All responses and comments should be received no later than January 8, 2001. Your timely response will be greatly appreciated. The attached materials are posted on our Website at <http://www.floridapsc.com>.

If you have any further questions concerning this notice, please contact Cathy Bedell at (850)413-6248 or via e-mail at cbedell@psc.state.fl.us, or Blanca Bayó at (850) 413-6770 or via e-mail at bbayo@psc.state.fl.us.

DOCUMENT NUMBER-DATE

15545 DEC-58

FPSC-RECORDS/REPORTING

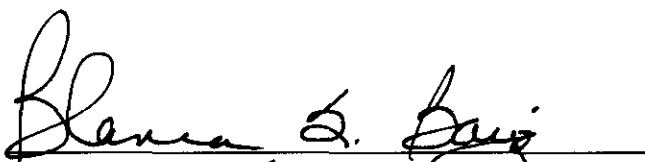
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The agenda for this workshop will be available by January 8, 2001. A copy may be obtained by writing to the Director, Division of Records and Reporting, at the address previously noted. The agenda will also be posted on the PSC Website.

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 workshop. 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).

One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the workshop.

By DIRECTION of the Florida Public Service Commission, this 5th day of December, 2000.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

CB

ATTACHMENT

PART I
Questions On Electronic Filings

The following questions were developed to assist the Commission in evaluating how to proceed with electronic filings at the Commission. Prompt responses to these questions will enable the task force to review and summarize the responses at the workshop. Responses and comments should be received no later than January 8, 2001.

1. If the Commission begins to accept electronic filings, would you or your client be likely to file documents electronically?

If yes, what benefits do you expect to gain from filing electronically?

If not, why not?

2. What types of documents would you or your client like to file electronically?

3. Does your office/company/client create documents using a computer?

If yes:

- a. What types of software are used?
- b. Is your equipment capable of transmitting documents in .PDF Normal?
- c. Is your equipment capable of transmitting documents in .PDF Image & Text?

If no:

Does your firm intend to begin using computers to create documents in the near future?

4. What format would be most convenient for you to use in filing documents electronically?

5. Does your office/company/client use the PSC Website?

If yes:

- a. How often?
- b. What are you using it for?
- c. What would you like to see on the Website?

If no:

Why not?

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6. In evaluating your or your clients' needs on the Website, please identify using a range from 0 to 10 (with 10 as the most important) the importance of the following to you or your client:

- _____ Search capabilities
- _____ Ease of use
- _____ Speed of access to materials on line
- _____ Speed of posting of filings
- _____ Cost of software
- _____ Formatting - How important is it to you that what you download looks exactly like what was filed?
- _____ Time it takes to print documents

Additional questions and comments

PART II

The following draft document is submitted for your consideration only. At the January 22, 2001 workshop the assumptions presented below will be discussed. Written comments on this document and your responses to the questions presented on pages 3 and 4 should be sent to the Commission no later than January 8, 2001, per the instructions contained in the notice. Additional comments will be welcome at the workshop.

What is the appropriate definition of "electronic filing"?

Traditionally, a "filing" is a paper document which is submitted to the Florida Public Service Commission's ("PSC") Division of Records and Reporting ("RAR"), either by outside parties or affected persons or by staff of the Commission. An "electronic filing" is a document which is in electronic form when it is received by the Commission. For purposes of this definition, "electronic filings" are only those filings submitted electronically to RAR, although filings are submitted to divisions other than RAR.

Filings submitted electronically are transmitted by electronic signals or on an electronically readable medium to RAR. This information, when received, can be stored and retrieved electronically and reproduced on paper, microfilm, magnetic storage device, optical imaging system, or other electronic recordkeeping system in a format sufficient to communicate the information from the original document in a readable form.

Since facsimile copies are not always of sufficient quality to be reproduced in readable format, FAXES are excluded from this definition.

In the near future, the PSC will begin converting all paper filings it receives to "electronic filings" by scanning and converting the documents to Adobe Portable Document Image + Text (Searchable Image) Format (.PDF Image + Text) files, which will then be available on the Internet.

What is the appropriate definition of "filing date"?

According to Rule 28-106.104(9), F.A.C., the filing date for an electronically transmitted document is ***the date the agency clerk***

receives the complete document. In addition, any party who elects to file a document by electronic transmission is responsible for any delay, disruption, or interruption of the electronic signals and **accepts the full risk** that the document may not be properly filed with the clerk as a result.

When a document is received electronically, RAR staff will print the document and stamp a document number on it. This printed document will become the **official** version and will be placed in the official docket file. To be considered filed on the date submitted, the document must be received either electronically or on diskette during normal business hours, although printing and stamping of the document may take place after normal business hours or on the next business day. Documents not received by 5:00 p.m. ET will not be considered filed until 8:00 a.m. ET of the next business day.

What filing format(s) should the Commission accept for electronic filing?

The Commission's Division of Records and Reporting (RAR) currently accepts filings in paper form. Electronic filing may possibly open the door to filings in a variety of formats.

Only electronic documents submitted in .PDF Image format will consistently, when printed, appear identical to the **official** version of documents in the docket files. This will not be the case with documents submitted in other formats, should the PSC decide to accept additional formats. Although the initial evaluation indicates that filings should be accepted only in .PDF Image format, the technical hurdles presented by other formats are being evaluated.

To ensure compliance with Department of State retention requirements and to ensure a comprehensive file for dockets on appeal, RAR will continue to maintain the official docket information in paper form. This will be the **official docket file** for the Public Service Commission.

When a document is received electronically, RAR staff will print the document, then it will be document-stamped and considered "filed." The **official** version will be the version printed by the Division and filed in the docket folder. By filing electronically

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the party accepts that the **official** copy is the version printed by RAR and filed in the docket.

What documents should be accepted in electronic form?

All documents should be accepted in electronic form with the exception of confidential documents. Confidential documents must be filed in paper format.

The PSC will ensure that it retains the ability to **NOT** accept electronic filings for documents that are difficult to manage or would otherwise be inefficient to handle in electronic form.

Are multiple copies of documents needed and who should provide them?

If filings are submitted in electronic format, no copies will be required. RAR will print one copy, which will become the official copy for the docket file. If filings are submitted in paper format, two copies will be required: One copy will be sent to Reproduction for scanning and conversion to .PDF format. The other copy will be placed in the docket file as the official filing.

What is appropriate policy regarding signature requirements?

The PSC requires signatures on all filings. Rule 28-106.104(7), F.A.C., provides that a party who files a document by electronic transmission must represent that the original physically signed document will be retained by the party for the duration of the proceeding, any subsequent appeal or subsequent proceeding. The party must produce the document upon the request of any other party or the agency clerk.

Should the Commission develop standards to ensure consistent pagination?

No. Although there will be some pagination problems should the PSC decide to allow filing formats in addition to .PDF Image, the problems may be infrequent and, while the PSC may want to develop filing requirements, it should not develop requirements or standards that would result in the rejection of filings because of problems with pagination.

Should the Commission require paragraph numbering instead of page citation?

No. Balanced against the occasional burden of not being able to quickly identify the exact location of a desired paragraph, implementation of such a requirement would cause longer document development times on all documents, may not be easily implemented by all filing parties, and increases the likelihood of having non-compliant filings rejected. All of these factors would reduce the productivity, timeliness, and other efficiencies gained by allowing electronic filing. The PSC may, however, consider requiring paragraph numbering on certain types of filings.

What actions, if any, should be undertaken to ensure the accuracy of electronic records?

We cannot ensure the accuracy of electronic records. In accordance with the Uniform Rules of Procedure, "any party that elects to file any document by electronic submission shall be responsible for any delay, disruption, or interruption of the electronic signals and **accepts the full risk** that the document may not be properly filed with the clerk as a result."

How should the Commission handle a corrupt file submitted electronically?

If an electronically submitted file is found to be corrupt, the filing will be rejected and the party will be notified by RAR staff.

How should the Commission verify that an electronic submission is complete?

Consistent with current practice, the filing party will be notified by RAR staff if a filing is obviously incomplete. Otherwise, the party will be notified by PSC staff during or upon completion of their review if a filing is found to be incomplete.

Should a page limit be placed on documents filed electronically?

This issue requires further study because certain documents may be too bulky to be retrieved by the public from the PSC Internet Website.

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What procedure(s) should be implemented to acknowledge receipt of an electronic submission?

After the submission is complete and the document has been printed and numbered, it will be renamed with a document number and RAR will generate an acknowledgment message to the filer to indicate that the document was received and the filing accepted. The filer must have a valid e-mail address.