

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

IN RE: PROPOSED AMENDMENT OF RULES 25-7.015, 25-7.135, 25-7.1352,  
25-7.1353 AND PROPOSED REPEAL OF RULE 25-7.1351

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: June 3, 2003

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rules 25-7.015, 25-7.135, 25-7.1352, 25-7.1353 and proposed repeal of Rule 25-7.1351, Florida Administrative Code, to amend provisions relating to reporting requirements for gas utilities.

The attached Notice of Proposed Rule Development will appear in the June 13, 2003, 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., July 28, 2003  
Betty Easley Conference Center  
Room 152, 4075 Esplanade Way  
Tallahassee, Florida

The request must be submitted in writing to Marlene Stern, Appeals, Rules & Mediation Section Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services 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).

DOCUMENT NUMBER-DATE

04898 JUN-30

FPSC-COMMISSION CLERK

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By DIRECTION of the Florida Public Service Commission, this  
3rd day of June, 2003.

BLANCA S. BAYÓ, Director  
Division of the Commission Clerk  
and Administrative Services

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records and Hearing  
Services

( S E A L )

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FLORIDA PUBLIC SERVICE COMMISSION  
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RULE TITLE:	RULE NO.:
Records and Reports in General	25-7.014
Location and Preservation of Records	25-7.015
Annual Reports	25-7.135
Diversification Reports	25-7.1351
Earnings Surveillance Report	25-7.1352
Forecasted Earnings Surveillance Report	25-7.1353

PURPOSE AND EFFECT: Rule 25-7.014 is to be amended to update the reference to the most recent Uniform System of Accounts, Code of Federal Regulations, Part 201, as of April 1, 2002.

Rule 25-7.015 is to be amended to update the reference to the most recent "Preservation of Records of Natural Gas Companies," Code of Federal Regulations(CFRs), Part 225, as of April 1, 2002. Also, the rule has been amended to included six exceptions to the retention periods incorporated in the CFRs, Part 225, as of April 1, 2002. Due to the time between rate proceedings, audits, and other matters before the Commission a longer retention period is necessary for these records.

Rule 25-7.135 is to be amended to update the reference to the revised Commission Form PSC/ECR 20-G, entitled "Annual Report of Natural Gas Utilities." In an effort to simplify the reporting requirements, some schedules have been deleted while other schedules have been consolidated.

Rule 25-7.1351 is to be repealed as the information provided in this report has been incorporated as part of Commission Form 20-G, as adopted by Rule 25-7.135. This repeal eliminates a reporting requirement that is currently included in the utility's annual report.

Rule 25-7.1352 is to be amended to update the reference to the revised Commission Form PSC/ECR 13-G, entitled "Investor-Owned Natural Gas Utility Earnings Surveillance Report (ESR)." The year end schedules have been deleted since average schedules are used to monitor earnings. Also, the amendment changes the filing of monthly ESRs to quarterly filings.

Rule 25-7.1353 is to be amended to require each investor-owned natural gas utility with more than 50,000 customers to file with the Commission its forecasted financial information on Commission Form PSC/ECR 23-G, entitled "Investor-Owned Natural Gas Utility Forecasted Earnings Surveillance Report." Changing the monthly

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ESR to quarterly makes the forecasted ESR more crucial for monitoring earnings.

SUBJECT AREA TO BE ADDRESSED: Reporting requirements for gas utilities.

SPECIFIC AUTHORITY: 350.127(2), 366.05(1)(9)&(11), 366.08, 366.093(1), FS.

LAW IMPLEMENTED: 350.117(1), 366.04(2)(f), 366.05(1)(9) & (11), 366.08, 366.093(1), 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: July 28, 2003, at 9:30 a.m.

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

The request must be submitted in writing to Marlene Stern, Appeals, Rules and Mediation Section, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or

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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 IS: Edward Bass, Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, 850-413-6455.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:  
25-7.014 Records and Reports in General.

(1) Each natural gas utility shall maintain its accounts and records in conformity with the Uniform System of Accounts for Natural Gas Companies (USOA) as found in the Code of Federal Regulations, Title 18, Subchapter F, Part 201, for Major Utilities as revised, April 1, 2002 ~~2000~~, and as modified below. All inquiries relating to interpretation of the USOA shall be submitted to the Commission's Division of Economic Regulation in writing.

(2) - (6) No change.

Specific Authority: 366.05(1), 350.127(2), F.S.

Law Implemented: 366.05(1), F.S.

History: Amended 7/19/72, Repromulgated 1/8/75, 5/4/75, Amended

12/30/75, 9/28/81, 11/18/82, formerly 25-7.14, Amended 10/1/86,  
4/4/88, 7/20/89, 12/27/94, 4/22/96,\_\_\_\_\_.

25-7.015 Location and Preservation of Records.

(1) - (2) No change.

(3) All records shall be preserved in accordance with the Federal Energy Regulatory Commission's regulations, Title 18, Subchapter F, Part 225, Code of Federal Regulations, entitled "Preservation of Records of Natural Gas Companies" as revised, April 1, 2002 ~~1994~~, which is incorporated by reference into this rule, with the exception of the records listed in section (3)(a) of this rule. ~~Item 64 (Records of predecessors and former associates) of the Schedule of records and periods of retention contained in Title 18, Subchapter F, Section 225.3, Code of Federal Regulations.~~ Instead, utilities shall retain records listed in section (3)(a) of this rule for the periods indicated. ~~of acquired companies until permission for disposal is petitioned for and approved by the Florida Public Service Commission.~~

(a) The Code of Federal Regulations Items listed below are exceptions to the Schedule of Records and Periods of Retention contained in Title 18, Subchapter F, Section 225.3, Code of Federal Regulations:

1. Item 2(a), minute books of stockholders', directors', and directors' committee meetings, earlier of 20 years or termination of corporation's existence;

2. Item 6(a)(1), general ledgers, 20 years;

3. Item 6(a)(2), ledgers subsidiary or auxiliary, 20 years;

4. Item 7, journals: general and subsidiary, 20 years;

5. Item 8(a), journal vouchers and journal entries, 20 years;

6. Item 20(a), appraisals and valuations made by the company of its properties or investments or of the properties or investments of any associated companies. (includes all records essential thereto.), 10 years after appraisal; and

(a) - (b) renumbered as (b) - (c) No change.

Specific Authority: 366.05(1)(9), & (11), 366.08, 366.093(1), 350.127(2), F.S.

Law Implemented: 366.05(1)(9) & (11), 366.08, 366.093(1), F.S.

History: Amended 7/19/72, Repromulgated 1/8/75, Amended 12/30/75, 9/28/81, 11/28/82, 10/1/86, 4/4/88, 11/13/95,\_\_\_\_\_.

25-7.135 Annual Reports.

(1) Each investor-owned natural gas utility shall file annual reports with the Commission on Commission Form PSC/ECR 20-



G( / ) ~~20-(4/96)~~ which is incorporated by reference into this rule. Form PSC/ECR 20-G 20, entitled "Annual Report of Natural Gas Utilities", may be obtained from the Commission's Division of Economic Regulation. These reports shall be verified by a responsible accounting officer of the company making the report and shall be due on or before April 30 for the preceding calendar year. A utility may file a written request for an extension of time with the Division of Economic Regulation no later than April 30. One extension of 31 days will be granted upon request. A request for Commission approval of a longer extension must be accompanied by a statement of good cause and shall specify the date by which the report will be filed.

(2) The utility shall also file with the original and each copy of the annual report form, or separately within 30 days, a letter or report, signed by an independent certified public accountant, attesting to the conformity in all material respects of the Comparative Balance Sheet, Statement of Income, ~~and Statement of Cash Flows~~ and any applicable notes from Form PSC/ECR 20-G 20 with the Commission's applicable uniform system of accounts and published accounting releases.

(3) No change.

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Specific Authority: 366.05(1), 350.127(2), F.S.

Law Implemented: 366.05(1), F.S.

History: New 12/27/94, amended 4/15/96, \_\_\_\_\_.

25-7.1351 Diversification Reports.

Specific Authority: 366.05(1), 350.127(2), F.S.

Law Implemented: 366.05(1), F.S.

History: New 12/27/94, amended 4/15/96, repealed \_\_\_\_\_.

25-7.1352 Earnings Surveillance Report.

(1) Each investor-owned natural gas utility shall file rate of return data using Commission Form PSC/ECR 13-G ( / ) ~~13~~ ~~(5/96)~~, which is incorporated by reference into this rule. Form PSC/ECR 13-G ~~13~~, entitled "Investor-Owned Natural Gas Utility Earnings Surveillance Report," may be obtained from the Commission's Division of Economic Regulation.

(2) The report shall be filed:

(a) Quarterly ~~Monthly~~, by the 15th day of the second month following the reported quarter ~~month~~ for natural gas utilities with 25,000 ~~50,000~~ or more customers.

~~(b) Quarterly, by the 15th day of the second month following the reported quarter for natural gas utilities with fewer than 50,000 customers and more than 5,000 customers.~~

(b)~~(c)~~ Semiannually, by the 15th day of the second month following the reported period for natural gas utilities with 25,000 ~~5,000~~ or fewer customers.

(3) No change.

Specific Authority: 350.127(2), F.S.

Law Implemented: 350.117(1), 366.04(2)(f), F.S.

History: New 11/18/82, formerly 25-7.24, Amended 4/23/92, formerly 25-7.024, Amended 6/10/94, 5/8/96,\_\_\_\_\_.

25-7.1353 Forecasted Earnings Surveillance Report.

(1) Each investor-owned natural gas utility with more than 50,000 customers ~~that is not under an incentive regulation plan or not subject to an earnings cap~~ shall file with the Commission its forecasted financial information on Commission Form PSC/ECR 23-G ( / ) ~~23 (1/95)~~ which is incorporated into this rule by reference. Form PSC/ECR 23-G ~~23~~, entitled "Investor-Owned Natural Gas Utility Forecasted Earnings Surveillance Report", may be obtained from the Commission's Division of Economic Regulation. The report shall be verified by the responsible officer of the utility making the report. The report shall be due no later than 60 days after the end of the fiscal year, and shall contain the forecasted financial information for the following

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fiscal year.

(2) - (3) No change.

Specific Authority: 350.127(2), 366.05(1), F.S.

Law Implemented: 350.117(1), 366.05(1), F.S.

History: New 1/11/95, \_\_\_\_\_.

AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.