

ORIGINAL

NOTICE OF PROPOSED RULE DEVELOPMENT

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO: Undocketed

RULE TITLE: RULE NO.:

Records and Reports in General 25-6.014

Location and Preservation of Records 25-6.015

Annual Reports 25-6.135

Cost Allocation and Affiliate Transactions 25-6.1351

PURPOSE AND EFFECT: To update the rules to reference the most recent versions of the Uniform System of Accounts, the Preservation of Records of Public Utilities and Licensees, and Commission Form PSC/ECR 101 (Annual Report of Major Electric Utilities). The revisions will also eliminate reporting requirements that are no longer needed and define "good cause" in Rule 25-6.135(1).

SUBJECT AREA TO BE ADDRESSED: Electric Utility Records Reports.

SPECIFIC AUTHORITY: 366.05(1), 350.127(2), F.S.

LAW IMPLEMENTED: 350.115, 366.02(2), 366.04, 366.041, 366.05,

366.06(1), 366.08, 366.093(1), F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY

HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT

AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

COMMISSION CLERK

JUL 30 AM 11:40

STATE OF FLORIDA PUBLIC SERVICE COMMISSION

JUL 30 AM 11:10

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FPSC-001 CLERK

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING TO SAMANTHA CIBULA, OFFICE OF THE GENERAL COUNSEL, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: John Slemkewicz, Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850) 413-6420.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-6.014 Records and Reports in General.

(1) Each investor-owned electric utility shall maintain its accounts and records in conformity with the Uniform System of Accounts (USOA) for Public Utilities and Licensees as found in the Code of Federal Regulations, Title 18, Subchapter C, Part 101, for Major Utilities as revised April 1, 2002 ~~1995~~, 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) -(5) No change.

(6) The Commission prescribes the Uniform System of Accounts for Public Utilities and Licensees, as found in the Code of Federal Regulations, Title 18, Subchapter C, Part 101, for Major Utilities as revised April 1, 2002 ~~2000~~, to be used by Rural Electric Cooperative and Municipal Electric Utilities operating within the State. All inquiries relating to interpretations of

the Uniform System of Accounts shall be submitted to the Commission's Division of Economic Regulation in writing.

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

Law Implemented: 350.115, 366.02(2), 366.04(2)(a), 366.04(2)(f), 366.05(1), 366.08, F.S.

History: Amended 7/29/69, 2/4/76, 8/21/79, 1/2/80, 11/18/82, formerly 25-6.14, Amended 10/1/86, 11/02/87, 7/20/89, 12/27/94, 4/22/96, XX/XX/XX.

25-6.015 Location and Preservation of Records.

(1) - (2)(b)2. No Change.

(3) All records shall be preserved in accordance with the Federal Energy Regulatory Commission's regulations, Title 18, Subchapter C, Part 125, Code of Federal Regulations, entitled "Preservation of Records of Public Utilities and Licensees" as revised, April 1, 2002 ~~1994~~, which is hereby 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 C, Section 125.3, 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 C, Section 125.3, 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; and

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.

(b)(a) However, all source documents retained as required by Title 18, Subchapter C, Part 125, Code of Federal Regulations shall be maintained in their original form for a minimum of three years, or for any lesser period of time specified for that type of record in Title 18, Subchapter C, Part 125, Code of Federal Regulations, after the date the document was created or received by the utility. This paragraph does not require the utility to create paper copies of documents where the utility would not

otherwise do so in the ordinary course of its business. The Commission may waive the requirement that documents be retained in their original form upon a showing by a utility that it employs a storage and retrieval system that consistently produces clear, readable copies that are substantially equivalent to the originals, and clearly reproduces handwritten notations on documents.

(c) ~~(b)~~ The utility shall maintain written procedures governing the conversion of source documents to a storage and retrieval system, which procedures ensure the authenticity of documents and the completeness of records. Records maintained in the storage and retrieval system must be easy to search and easy to read.

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

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

History: Amended 7/29/69, 7/19/72, 1/11/76, 9/28/81, 11/18/82,

Formerly 25-6.15, Amended 10/1/86, 11/02/87, 6/23/93, 11/13/95,

XX/XX/XX.

25-6.135 Annual Reports.

(1) Each investor-owned electric utility shall file annual reports with the Commission on Commission Form PSC/ECR/101 (/) ~~(12/00)~~ which is incorporated by reference into this rule. Form PSC/ECR/101, entitled "Annual Report of Major Electric Utilities", may be obtained from the Commission's Division of

Economic Regulation. These reports shall be verified by a responsible accounting officer of the utility 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 a longer extension must be accompanied by a statement of good cause and shall specify the date by which the report will be filed. "Good cause" means a demonstration that the company has worked diligently to prepare the report and that the additional time period requested to complete and submit the report is both reasonable and necessary given the company's particular circumstances.

(2) No Change.

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

Law Implemented: 350.115, 366.04(2)(f), 366.05(1), (2)(a) F.S.

History--New 12-27-94, Amended 12/11/00, XX/XX/XX.

25-6.1351 Cost Allocation and Affiliate Transactions.

(1) - (4) (d) No Change.

(5) Reporting Requirements. Each utility shall file information concerning its affiliates, affiliate transactions, and nonregulated activities on Form PSC/ECR/101 (/) ~~(12/00)~~ which is incorporated by reference into this rule. Form PSC/ECR/101, entitled "Annual Report of Major Electric

Utilities," may be obtained from the Commission's Division of Economic Regulation.

(6) No Change.

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

Law Implemented: 350.115, 366.04(2)(a) and (f), 366.041(1), 366.05(1), (2), and (9), 366.06(1), 366.093(1) F.S.

History--New 12-27-94, Amended 12/11/00, XX/XX/XX.