

STATE OF FLORIDA

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Public Service Commission

January 15, 2004

Mr. John Rosner
Joint Administrative Procedures Committee
Room 120 Holland Building
Tallahassee, FL 32399-1300

HAND DELIVER

Re: Docket No. 031029-EI - Rule 25-6.0435, F.A.C.

Dear Mr. Rosner:

The Commission has approved the adoption of Rules 25-6.043 and 25-6.0435, a copy of which is enclosed, without changes. We plan to file the rule for adoption on January 22, 2004. The following are the facts and circumstances justifying the amendment of Rule 26-6.0435, F.A.C., Interim Rate Relief, which was inadvertently omitted in my earlier filing:

Rule 25-6.0435 is amended to incorporate the latest revision of the Minimum Filing Requirements for electric utilities by referencing Rule 25-6.043. Section (1) deletes references to specific schedules in favor of a reference to the MFR schedules in general that contain interim schedules. The last sentence is deleted because the information requested is not necessary, or is contained in existing schedules. The interim schedules have been significantly reduced in number and required content, resulting in fewer but more pertinent schedules. This will substantially reduce the regulatory burden on utilities that seek a change in rates for an interim period. The rule has also been amended to delete outdated language and procedures. Section (2) is revised to clarify the calculation of interim rates. The new language restates the calculation and application more clearly and succinctly, and the balance of the paragraph is deleted as unnecessary and confusing.

Sincerely,

Christiana T. Moore
Associate General Counsel

ADOPT60435 CTM
cc: Division of the Commission Clerk
and Administrative Services

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

1 25-6.043 Investor-Owned Electric Utility Minimum Filing
2 Requirements; Commission Designee.

3 (1) General Filing Instructions

4 (a) The petition under Section 366.06 and Section 366.071,
5 F.S. Florida Statutes, for adjustment of rates must include or be
6 accompanied by:

7 1. The information required by Commission Form PSC/ECR/011-E
8 EAG/11 (/) ~~(3/90)~~, entitled "Minimum Filing
9 Requirements for Investor-Owned Electric Utilities" which
10 is incorporated into this rule by reference. The form
11 may be obtained from the Commission's Division of
12 Economic Regulation.

13 2. The exact name of the applicant and the address of the
14 applicant's principal place of business.

15 3. Copies of prepared direct testimony and exhibits for each
16 witness testifying on behalf of the Company.

17 (b) In compiling the required schedules, a company shall
18 follow the policies, procedures and guidelines prescribed by the
19 Commission in relevant rules and in the company's last rate case or
20 in a more recent rate case involving a comparable utility. These
21 schedules shall be identified appropriately (e.g., Schedule B-1
22 would be designated Company Schedule B-1 - Company basis).

23 (c) Each schedule shall be cross-referenced to identify
24 related schedules as either supporting schedules ~~and/or~~ recap
25 schedules.

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~~through~~ type are deletions from existing law.

1 (d) Each page of the filing shall be numbered on 8 1/2 x 11-
2 inch paper. Each witness' prefiled testimony and exhibits shall be
3 on numbered pages and all exhibits shall be attached to the
4 proponent's testimony.

5 (e) Except for handwritten official company records, all data
6 in the petition, testimony, exhibits and minimum filing
7 requirements shall be typed.

8 (f) Each schedule shall indicate the name of the witness
9 responsible for its presentation.

10 (g) All schedules involving investment data shall be
11 completed on an average investment basis. Unless a specific
12 schedule requests otherwise, average is defined as the average of
13 ~~thirteen (13)~~ monthly balances.

14 (h) Twenty-one ~~(21)~~ copies of the filing, consisting of the
15 petition and its supporting attachments, testimony, and exhibits,
16 shall be filed with the Division of the Commission Clerk and
17 Administrative Services.

18 (i) Whenever the company proposes any corrections, updates or
19 other changes to the originally filed data, ~~twenty-one (21)~~ copies
20 shall be filed with the Division of the Commission Clerk and
21 Administrative Services with copies also served on all parties at
22 the same time.

23 (2) Commission Designee: The Director of the Division of
24 Economic Regulation shall be the designee of the Commission for
25

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1 purposes of determining whether the utility has met the minimum
2 filing requirements imposed by this rule. In making this
3 determination, the Director shall consider whether information that
4 would have been provided in a particular schedule required by this
5 rule has been provided to the same degree of detail in another
6 required schedule that the utility incorporates by reference.

7 Specific Authority: 366.05(1), (2), 366.06(3), F.S.

8 Law Implemented: 366.06(1), (2), (3), (4), 366.04(2)(f), 366.071,
9 F.S.

10 History--New 05/27/81, formerly 25-6.43, Amended 07/05/90,
11 01/31/00,_____.

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1 **25-6.0435 Interim Rate Relief.**

2 (1) Each electric utility petitioning for interim rate relief
3 pursuant to s. 366.071, F.S., shall file the data required by in
4 ~~Schedules 2 through 14, 17, and 23, in Rule 25-6.043(1)(a).~~ In
5 addition, ~~a schedule shall be submitted calculating the interim~~
6 ~~relief in accordance with s. 366.07, F.S., and allocation factors~~
7 ~~by functional group approved in the company's last rate case.~~

8 (2)(a) The requested interim increase in base rate revenues
9 shall be divided by interim test year base rate revenues to derive
10 a percentage increase factor. The percentage increase factor shall
11 be applied uniformly to all existing base rates and charges to
12 derive the interim base rates and charges. Interim rates shall
13 ~~apply across the board based on base rate revenues for the test~~
14 ~~period less embedded fuel revenue by rate schedule. The resulting~~
15 ~~dollar amount shall be divided by base rate revenues per rate~~
16 ~~schedule to determine the percent increase applied to each rate~~
17 ~~schedule.~~

18 ~~(b) In determining the interim increase, the following data~~
19 ~~shall be provided: KWH sales; base rate revenue less base fuel~~
20 ~~revenue; base fuel revenues; total base rate revenue; fuel~~
21 ~~adjustment revenue; total revenue. The interim increase shall be~~
22 ~~shown by dollar amount and percentage by rate schedule in the~~
23 ~~following manner:~~

24 ~~—— I. Requested Interim Amount Across the board~~
25 ~~—— base rate revenue less = percentage constant~~

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1 ~~base fuel revenue~~
2 ~~II. Percentage x base rate revenue less = Dollar increase~~
3 ~~Constant base fuel revenue to rate schedule~~
4 ~~III. Dollar Increase = Percent increase applied~~
5 ~~total base rate revenue to rate schedule~~

6 (3) Interim rate relief collected is subject to refund
7 pending final order in the permanent rate relief request. Such
8 increase shall be subject to a corporate undertaking or under bond
9 as authorized by the Commission and any refund shall be made with
10 an interest factor determined by using the 30-day commercial paper
11 rate for high-grade, unsecured notes, sold through dealers by major
12 corporations in multiples of \$1,000 as regularly published in the
13 Wall Street Journal. The annual rate as published on the first day
14 of the current business month would be added to the rate as
15 published on the first day of the subsequent business month and
16 halved to obtain the simple average rate to be applied in that
17 month. This rate of interest would be applied to the refund amount
18 for that month. The amount of interest calculated would be added
19 to the beginning balance of the following month so as to accomplish
20 the compounding of the interest feature of the refund provision.

21 Specific Authority: 366.05(1), F.S.

22 Law Implemented: 366.04(2)(f), 366.06, 366.071, F.S.

23 History: New 5/27/81, formerly 25-6.435, Amended.
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