

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-6.018,
F.A.C., Records of Interruptions and
Commission Notification of Threats to Bulk
Power Supply Integrity or Major Interruptions
of Service.

DOCKET NO. 040011-EI
ORDER NO. PSC-04-0223-NOR-EI
ISSUED: February 26, 2004

The following Commissioners participated in the disposition of this matter:

BRAULIO L. BAEZ, Chairman
J. TERRY DEASON
LILA A. JABER
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-6.018, Florida Administrative Code, relating to records of interruptions and notification to the Commission of threats to bulk power supply integrity or major interruptions of service.

The attached Notice of Rulemaking will appear in the March 5, 2004 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than March 26, 2004.

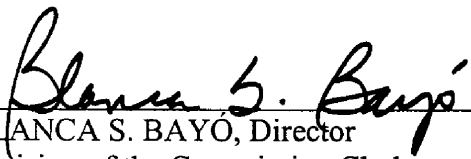
DOCUMENT NUMBER DATE

02856 FEB 26 8

FPSC-COMMISSION CLERK

ORDER NO. PSC-04-0223-NOR-EI
DOCKET NO. 040011-EI
PAGE 2

By ORDER of the Florida Public Service Commission, this 26th day of February, 2004.



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

(SEAL)

MKS

NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 040011-EI

RULE TITLE:

RULE NO.:

Records of Interruptions and Commission Notification of Threats
to Bulk Power Supply Integrity of Major Interruptions of Service

25-6.018

PURPOSE AND EFFECT: Requiring utilities to file a report on customer interruptions and curtailments on a regular basis will allow the Commission to better monitor the utilities' exercise of non-firm service and to provide up-to-date interruption and curtailment information to outside parties.

Utilities have historically considered customer-specific information to be proprietary confidential business information, and the Commission has granted several confidentiality requests for such data. The staff believes that the names of the customers are not essential to the commission's ability to monitor the utilities' exercise of non-firm service.

SUMMARY: The existing rule requires investor-owned electric utilities with interruptible or curtailable rate schedules to provide a report to the Commission of customer interruptions and curtailments for those months when interruptions occur. The report must include specific information, including the names of the customers interrupted or curtailed. The rule does not specify when the monthly reports must be filed. Staff is proposing two amendments to the rule. The first amendment would require the utilities, beginning on July 1, 2004, to file the report

ORDER NO. PSC-04-0223-NOR-EI
DOCKET NO. 040011-EI
PAGE 4

quarterly and no later than 30 days after the end of the reported quarter. The second amendment would eliminate the requirement to include the names of the customers interrupted or curtailed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not needed.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

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

LAW IMPLEMENTED: 366.03, 366.04(2)(c), (f), & (5), 366.055, F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marlene Stern, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6245.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.018 Records of Interruptions and Commission Notification of Threats to Bulk Power Supply Integrity or Major Interruptions of Service.

(1) – (2) No Change.

(3) Each utility with interruptible or curtailable rate schedules shall provide a report to the Commission of customer interruptions and curtailments for each applicable rate schedule, ~~for those months when interruptions occur.~~ The report shall ~~should~~ include ~~the names of the customers interrupted or curtailed,~~ the reason for interruption or curtailment, the date, time, and duration of the interruption or curtailment, and amount of load shed. For utilities with optional billing provisions which provide for the utility to purchase power from another utility and supply it directly to the interrupted or curtailed customer, ~~the utility shall provide a report to the Commission~~ shall include ~~indicating the name of the customer,~~ the source, date, time, and amount of purchase in megawatt hours, and cost per megawatt hour for those months when purchases are made under the optional billing provision. Beginning on July 1, 2004, the report shall be filed quarterly and no later than 30 days after the end of the reported quarter. If there were no interruptions, curtailments, or optional billing events in the quarter, the report shall so state. Reports of customer interruptions or curtailments are not required when done under direct load management programs as approved by the Commission.

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

Law Implemented: 366.03, 366.04(2)(c),(f),&(5), 366.055, F.S.

History: Amended 7/29/69, 4/13/80, formerly 25-6.18.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elisabeth Draper

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

ORDER NO. PSC-04-0223-NOR-EI
DOCKET NO. 040011-EI
PAGE 6

DATE PROPOSED RULE APPROVED: February 17, 2004.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 29,
Number 51, December 19, 2003.

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing 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 by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).