

ORIGINAL

FLORIDA PUBLIC SERVICE COMMISSION

OFFICE OF THE GENERAL COUNSEL

DOCKET NO. 040246-WS

RULE NO: RULE TITLE:

25-30.457 Limited Alternative Rate Increase

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Volume 30, No. 32, August 6, 2004, issue of the Florida Administrative Weekly:

25-30.457 Limited Alternative Rate Increase.

(1) As an alternative to a staff assisted rate case as described in Rules 25-30.455 and 25-30.456, F.A.C., water ~~and wastewater~~ utilities whose total gross annual operating revenues are \$150,000 or less for water service and wastewater utilities whose total gross annual operating revenues are ~~or \$150,000 or less for wastewater service, or \$300,000 or less on a combined basis,~~ may petition the Commission for a limited alternative rate increase of up to 20 percent applied to metered or flat recurring rates of all classes of service by submitting a completed application that includes the information required by sections (8) and (9) ~~and (10)~~. In accordance with section

CMP _____ 367.0814(6), F.S., a utility that requests staff assistance waives its right to protest by agreeing to
COM _____ accept the final rates and charges approved by the Commission unless the final rates and charges
CTR _____
ECR _____ would produce less revenue than the existing rates and charges. The original and two ~~five~~ copies
GCL _____ of the application shall be filed with the Division of the Commission Clerk and Administrative
OPC _____
MMS _____ Services.

RCA _____ (2) – (6) No change.

SCR _____

SEC 1

OTH _____

DOCUMENT NUMBER-DATE

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~~(7) Any increase in operating revenues approved pursuant to this rule shall be limited to a maximum of 20 percent applied to metered or flat recurring rates of all classes of service.~~

~~(8)~~ The Commission shall deny the application if a petitioner does not remit the fee, as provided by section 367.145, F.S., and Rule 25-30.020(2)(f), F.A.C., within 30 days after official acceptance of the application.

~~(8)(9)~~ No change.

~~(9)(10)~~ The petitioner shall provide a schedule showing:

(a) – (b) No change.

(11) through (13) renumbered as (10) through (12) No change.

~~(13)(14)~~-In consideration of subsections (11) and (12) ~~and (13)~~, the utility agrees to hold any revenue increase granted under the provisions of this rule subject to refund with interest in accordance with Rule 25-30.360, F.A.C., for a period of 15 months after the filing of the utility's annual report required by section 367.121, F.S., for the year the adjustment in rates was implemented.

~~(14)(15)~~ No change.

~~(15)(16)~~ If, within 15 months after the filing of a utility's annual report required by section 367.121, F.S., the Commission finds that the utility exceeded the range of its last authorized rate of return on equity after an adjustment in rates, as authorized by this rule, was implemented within the year for which the report was filed, such overearnings the Commission may order the utility to refund, up to the amount held subject to refund, with interest, shall be disposed of for the benefit of the customers as provided in Section 367.081(4)(d), Florida Statutes ~~the difference to the ratepayers and adjust rates accordingly.~~

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~~(16)~~(17) No change.

~~(17)~~(18) In the event of a protest, the limit on the maximum increase provided in ~~(1)~~(7) above shall no longer apply.

~~(18)~~(19) No change.

Specific Authority: 350.127(2), 367.0814, 367.121(1)(a), F.S.

Law Implemented: 350.123, 367.0814, 367.121, 367.145(2), F.S.

History: New XX/XX/XX.

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The Administrative Code and Weekly Unit has received your notice for publication in the FAW.

A confirmation number has been provided below which may be used to reference this submittal in any communications with the Unit. Use the your browser 'Print' button or the 'Print this Acknowledgement' button at the bottom of this page to generate a receipt for your records. A record of this transmittal will be maintained for approximately 30 days and may be accessed from the 'Submittal Listing' item in the FAW Online menu on the left of this page.

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