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Public Service Commission

June 5, 2006

HAND DELIVER

Mr. Scott Boyd, Executive Director
Joint Administrative Procedures Committee
Room 120 Holland Building
Tallahassee, FL 32399-1300

RE: Docket No. 060121-EI – Proposed Amendment of Rule Nos. 25-6.022,
25-6.052, 25-6.056, 25-6.058, 25-6.059, 25-6.060 and 25-6.103, F.A.C.

Dear Mr. Boyd:

The Commission has approved the amendments of the above rules without changes. We plan to file the rules for adoption on June 13, 2006.

Sincerely,

Samantha M. Cibula
Associate General Counsel

CMP _____

COM _____

Enclosure

CTR _____

cc: Division of the Commission Clerk
and Administrative Services

ECR _____

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1 **25-6.022 Record of Metering Devices and Metering Device Tests.**

2 (1) For all types of utility-performed tests, a test record shall be made whenever a unit
3 of metering equipment is tested, but need not be retained after the equipment is again tested
4 unless the test is made in accordance with Rule 25-6.059 or Rule 25-6.060. When equipment
5 accuracy testing is required under Rule 25-6.059 or Rule 25-6.060, any record of accuracy
6 testing for disputed equipment that is on file at the time the customer request is made under
7 Rule 25-6.059 or Rule 25-6.060 must be retained until the dispute is resolved. The record
8 shall show information to identify the unit and its location; equipment with which the unit is
9 associated; the date of the test; reason for the test; readings before and after the test; if the
10 meter creeps, a statement as to the rate of creeping; a statement of the "as found" accuracy;
11 indications showing that all required checks have been made; a statement of repairs made, if
12 any; and identification of the person making the test. The completion of each test will signify
13 the "as left" accuracy falls within the required limits specified in Rule 25-6.052, F.A.C.,
14 unless the meter is to be retired.

15 (2) Each utility shall keep a record for each unit of metering equipment showing the
16 date the unit was purchased, if available; the utility's identification; associated equipment;
17 essential name plate data; date of test; results of "as found" test; and location where installed
18 with date of installation.

19 (3) Records of Test for Incoming Purchases. Regardless whether the newly purchased
20 metering equipment is tested under a Random Sampling Plan approved pursuant to Rule 25-
21 6.056, each utility shall maintain and make available to the Commission for each purchase of
22 new meters and associated devices made during the calendar or fiscal year, the following
23 information:

24 (a) Type of equipment, including manufacturer, model number, and any features which
25 will subsequently be used to classify the units purchased into a population of units for in-

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1 service tests;

2 (b) The number of units purchased;

3 (c) The total number of units tested;

4 (d) The number of units tested measuring each percent registration recorded;

5 (e) Average percent registration;

6 (f) Standard deviation about the average percent registration (population or sample

7 standard deviation);

8 (g) Results regarding whether the units tested meet the utility's acceptance criteria; and

9 (h) If a utility does not perform its tests for incoming purchases, the data provided by

10 equipment manufacturers concerning units tested on a 100 percent basis by the manufacturer,

11 with the manufacturer's test results used as a basis for acceptance testing, shall also be

12 retained.

13 (4) Records of Periodic and Annual In-Service Meters Tests. Each utility shall

14 maintain test records for each periodic and annual in-service test of electric meters and

15 associated devices in such a manner that the information listed in paragraphs (4)(a) through

16 (h) is readily available to the Commission on request. These data shall be maintained for units

17 of metering equipment tested under approved Random Sampling Plans and for units tested

18 under periodic testing programs, and shall be summarized on an annual basis.

19 (a) Type of equipment, including manufacturer, model number, and any features that

20 ~~which~~ are currently used to classify the units tested into a population of units for in-service

21 tests;

22 (b) The number of units in the population;

23 (c) The total number of units tested;

24 (d) The number of units tested measuring each percent registration recorded;

25 (e) Average percent registration;

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1 (f) Standard deviation about the average percent registration (population or sample
2 standard deviation);

3 (g) Results showing whether the units tested under an approved random sampling
4 program meet the utility's acceptance criteria; and

5 (h) A statement of the action to be taken to make further tests or replace inaccurate
6 units, when the units tested under an approved random sampling program do not meet the
7 acceptance criteria.

8 (i) The information regarding units tested during the year but not tested under a
9 Random Sampling Plan or a periodic testing program need not be maintained as listed in
10 paragraphs (4)(a) through (h) or be summarized on an annual basis.

11 Specific Authority 366.05(1) FS.

12 Law Implemented 366.05(1), (3), 366.04(2)(f) FS.

13 History—Amended 7-29-69, Formerly 25-6.22, Amended 5-19-97, _____.

14

15 **25-6.052 Accuracy Requirements and Test Procedures Plans for and Accuracies of**
16 **Consumption Metering Devices.**

17 (1) Definitions.

18 (a) “Electronic Meter.” Any meter that measures electric demand or energy and
19 displays registration using electronic components only.

20 (b) “Mechanical Meter.” Any meter that measures electric demand or energy and
21 displays registration using mechanical components rather than electronic or solid-state
22 components.

23 (c) “Lagged Demand (or Thermal Demand) Meter.” Any meter that indicates demand
24 by means of thermal or mechanical devices having an approximately exponential response.

25 (d) “Registration Error.” The variation in kilowatts or kilowatt-hours from the true

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1 value measured by a standard or reference device.

2 (e) "Meter Type." A combination of design and construction that forms a unique
3 method of measurement of the consumption of electricity. For example, electromechanical,
4 thermal, solid state, hybrid, etc.

5 (2)(4) Accuracy Requirements for Watthour Meters. The performance of an in-service
6 watthour meter shall be acceptable when the meter does not creep and the average registration
7 error does not exceed plus or minus two percent. ~~percentage registration is not more than 102~~
8 ~~percent nor less than 98 percent,~~ Meter registration error shall be determined in
9 accordance with Rule 25-6.058(1), F.A.C.

10 (3)(2) Accuracy Requirements for Demand Meters and Registers.

11 (a) The performance of a mechanical or lagged demand meter or register shall be
12 acceptable when the ~~error of registration error~~ error does not exceed four percent in terms of full-
13 scale value, ~~when tested~~ at any point between 25 percent and 100 percent of full-scale value.
14 Meter registration error shall be determined in accordance with Rule 25-6.058(2)(a).

15 (b) The performance of an electronic demand meter or register shall be acceptable
16 when the ~~error of registration error~~ error does not exceed two percent of reading, ~~when tested~~ at any
17 point between 10 percent and 100 percent of ~~full-scale value~~ test amperes. Meter registration
18 error shall be determined in accordance with Rule 25-6.058(2)(b).

19 (c) Demand meters shall indicate zero under no-load conditions.

20 (4)(3) Meter Equipment Test Procedures.

21 (a) The test of any unit of metering equipment shall consist of a comparison of its
22 accuracy with the accuracy of a standard.

23 (b) Watthour meters and associated devices shall be tested for accuracy and adjusted in
24 accordance with American National Standard for Electric Meters, Code for Electricity
25 Metering (ANSI C12.1 – 2001+995), which is incorporated herein by reference.

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1 (c) Electronic ~~Totally solid-state~~ meters that compute demand from wathour meter
2 registration and programmed demand algorithms shall be tested and adjusted in accordance
3 with ANSI C12.1 – ~~2001~~1995. Demand registration need not be tested, provided the meter has
4 been inspected to contain the correct demand algorithm whenever wathour registration is
5 tested.

6 ~~(5)~~(4) Test Plans ~~Proceedures~~.

7 (a) Each utility shall submit its test plan ~~proceedures~~ for review and approval for all
8 types of metering equipment, including:

- 9 1. Single-phase wathour meters;
- 10 2. Polyphase wathour meters;
- 11 3. Demand meters;
- 12 4. Pulse initiating meters;
- 13 5. Pulse recorders;
- 14 6. Time-of-use meters; and
- 15 7. Instrument Transformers.

16 (b) Test plans ~~proceedures~~ shall contain the following for each type of metering device
17 covered:

- 18 1. Adjustment limits;
- 19 2. Test points;
- 20 3. Test duration;
- 21 4. Type of test – single-phase test, polyphase test, etc.; and
- 22 5. Description of the general steps involved.

23 (c) Any changes to a previously approved test plan ~~proceedure~~ must be submitted to the
24 Commission's Division of Economic Regulation for approval. Adding a meter type to a
25 previously approved test plan ~~proceedure~~ is a change that ~~which~~ requires approval.

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1 (d) Review of Proposed Test Plans ~~Proceedures~~. Except where a utility has requested a
2 formal ruling by the Commission, the Division of Economic Regulation shall within 90 days
3 after submission review each utility's proposed test plan ~~proceedures~~ to determine whether it
4 ~~satisfies they satisfy~~ the criteria set forth in paragraphs ~~(5)(4)~~(a) and (b) above and shall notify
5 the utility in writing of its decision accepting or rejecting the proposed plan ~~proceedures~~. If a
6 proposed plan ~~proceedure~~ is rejected, the written notice of rejection shall state clearly the
7 reasons for rejecting the proposed plan ~~proceedure~~. If a utility's proposed plan ~~proceedure~~ is
8 rejected, the utility shall submit a revised plan ~~proceedure~~ to the Commission within 60 days
9 after receiving the notice of rejection. Where a utility has requested staff review of its plan
10 ~~proceedures~~ and a plan ~~proceedure~~ has been rejected, the utility may petition the Commission for
11 approval of the plan ~~proceedure~~. ~~If a utility has not submitted a satisfactory proceedure within~~
12 ~~six months following the submission of the initially proposed procedure, the Commission may~~
13 ~~prescribe by order a procedure for the utility.~~

14 Specific Authority 366.05(1) FS.

15 Law Implemented 366.05(3) FS.

16 History--Amended 7-29-69, Formerly 25-6.52, Amended 5-19-97, _____.

17

18 **25-6.056 Metering Device Test Plans.**

19 (1) The test of any unit of metering equipment shall consist of a comparison of its
20 accuracy with a standard of known accuracy. Units not meeting the accuracy or other
21 requirements of Rule 25-6.052, F.A.C., at the time of the test shall be corrected to meet such
22 requirements and adjusted to within the required accuracy as close to 100 percent accurate as
23 practicable or their use discontinued.

24 (2) All metering device tests shall be retained in accordance with ~~by the utility and~~
25 ~~made available to the Commission pursuant to Rule 25-6.022, F.A.C.~~

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1 (3) New instrument transformers shall be tested in accordance with subsection (5) of
2 this rule before initial installation. Instrument transformers ~~that~~ ~~which~~ have been removed
3 from service shall be tested prior to reinstallation if the reason for removal, physical
4 appearance, or record of performance gives cause to doubt its reliability.

5 (4) All metering equipment listed in Rule paragraph 25-6.052(5)(4)(a), F.A.C., shall be
6 tested:

7 (a) Before initial and each successive installation, either by the utility or the
8 manufacturer, with the exception of units of metering equipment ~~that~~ ~~which~~ are statistically
9 sample tested by the utility under an approved Random Sampling Plan; and

10 (b) When they are suspected by the utility of being inaccurate or damaged.

11 (5) Acceptance Testing. Tests for all new units of metering equipment may be
12 performed according to one of three plans:

13 (a) On a 100 percent basis, with testing performed by the utility;

14 (b) On a statistically sampled basis under an approved Random Sampling Plan, with
15 testing performed by the utility; or

16 (c) On a 100 percent basis, with testing performed by the manufacturer and the test
17 results for each unit provided by the manufacturer and maintained by the utility.

18 (6) Within each population specified in an approved sampling plan or periodic test plan
19 of mechanical or lagged demand meters, or other metering devices for which acceptability is
20 stated in terms of full-scale value, each device shall have the same class amperage and class
21 voltage.

22 ~~(7)(6)~~ In-Service Testing.

23 (a) In-service metering devices may be sample tested under an approved Random
24 Sampling Plan.

25 (b) In-service metering devices ~~that~~ ~~which~~ are not included in an approved Random

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1 Sampling Plan shall be tested periodically. The periodic testing schedule for equipment not
2 included in an approved Random Sampling Plan must be approved by the Commission.

3 (8)~~(7)~~ Random Sampling Plans Submitted for Approval.

4 ~~(a) Commission approved Random Sampling Plans may be used to accept or reject~~
5 ~~shipments of newly purchased equipment and to estimate the average accuracy of equipment~~
6 ~~in service.~~

7 ~~(a)~~~~(b)~~ Random Sampling Plans published by the United States Department of Defense
8 or by The American Society for Quality Control, or any other sampling plans that ~~which~~ have
9 been approved by the Commission prior to the effective date of this rule need not be re-
10 approved for the types of equipment for which they were approved.

11 ~~(b)~~~~(e)~~ Each Random Sampling Plan submitted for approval shall include, at a
12 minimum, the following information:

13 1. Plans to more closely monitor populations of equipment in service for which
14 estimates indicate accuracy problems, to determine if units in the population need to be
15 adjusted or replaced (in-service sampling plans).

16 2. A statement of the plan's statistical design and the rationale for using the plan in lieu
17 of testing 100 percent of the units in the population.

18 3. A precise statement of the plan's null hypothesis and alternative hypotheses, the
19 probability of committing Type I error and Type II error, and the criteria for accepting or
20 rejecting the null hypothesis.

21 ~~(c)~~~~(d)~~ "Variables" sampling plans may use either the "known variability" or the
22 "unknown variability" acceptance criteria. The acceptance criteria shall be appropriately
23 modeled. Variables sampling plans shall use the population standard deviation to measure
24 variability unless the proposed plan is accompanied by adequate justification for using another
25 parameter.

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1 (9)~~(8)~~ The analysis of a proposed Random Sampling Plan, or a proposed periodic in-
2 service testing schedule where applicable, shall include assessments of the plan's ability to
3 detect the presence of inaccurate equipment, the economy of testing only a sample of the units
4 in the population, the impact of having inaccurate units used for billing purposes, the number
5 of units in the population, and the historical performance of the type of equipment covered by
6 the proposed plan.

7 (10)~~(9)~~ Approval of Sampling Plans and In-Service Testing Schedules. All utilities
8 subject to this rule shall submit to the Commission's Division of Economic Regulation a
9 proposed Random Sampling Plan for each population of metering devices for which it intends
10 to use a random sampling plan for acceptance testing or for in-service testing, and a proposed
11 periodic testing schedule for each population of metering devices for which it does not submit
12 a proposed in-service random sampling plan. Sampling plans and in-service testing schedules
13 must be reviewed and approved pursuant to subsection (11) of this rule prior to their use.

14 (11)~~(10)~~ Review of Proposed Test Plan. As used in this subsection, the word "plan"
15 includes periodic testing schedules as well as Random Sampling Plans. Except where a utility
16 has requested a formal ruling by the Commission, the Division of Economic Regulation shall
17 within 90 days after submission review each utility's plan to determine whether it satisfies the
18 criteria set forth in subsections (8)~~(7)~~ and (9)~~(8)~~ above and shall notify the utility in writing of
19 its decision accepting or rejecting the proposed plan. If a proposed plan is rejected, the written
20 notice of rejection shall state clearly the reasons for rejecting the proposed plan. If a utility's
21 proposed plan is rejected, the utility shall submit a revised plan to the Commission within 60
22 days after receiving the notice of rejection. Where a utility has requested staff review of its
23 plan and the plan has been rejected, the utility may petition the Commission for approval of
24 the initially proposed plan. ~~If a utility has not submitted a satisfactory plan within six months~~
25 ~~following the submission of the initially proposed plan, the Commission may prescribe by~~

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1 order a plan for the utility.
2 Specific Authority 366.05(1) FS.
3 Law Implemented 366.05(3) FS.
4 History—New 7-29-69, Amended 4-13-80, Formerly 25-6.56, Amended 5-19-97, _____.

6 **25-6.058 Determination of Average Meter Registration Error.**

7 ~~Whenever a metering installation is tested and found to exceed the accuracy limits, the~~
8 ~~average error shall be determined in one of the following ways:~~

9 (1) Average Meter Registration Error for Watthour Registers.

10 ~~(a)(1)~~ If the metering installation is used to measure a load which has practically
11 constant characteristics, such as a street-lighting load, the meter shall be tested under similar
12 conditions of load and the registration error accuracy of the meter “as found” shall be
13 considered as the average meter error accuracy.

14 ~~(b)(2)~~ If a single-phase metering installation is used on a varying load, the average
15 registration error shall be determined by in one of the following methods, ways: The utility
16 shall select the method that best fits the customer’s usage pattern.

17 1.(a) The weighted algebraic average of the error at approximately 10 percent and at
18 100 percent of the rated test amperes for the meter, the latter being given a weight of four
19 times the former;

20 2.(b) The simple average of the error at approximately 10 percent and at approximately
21 100 percent of the rated test amperes of the meter, each being given an equal weight; or

22 3.(c) A single point, when calculating the error of an electronic ~~a totally solid-state~~
23 meter, and the single point is an accurate representation of the error over the load range of the
24 meter.

25 ~~(c)(3)~~ If a polyphase metering installation is used on a varying load, the average

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1 registration error shall be determined by in one of the following methods, ways: The utility
2 shall select the method that best fits the customer's usage pattern.

3 1.(a) The weighted algebraic average of its error at light load (approximately 10
4 percent rated test amperes) given a weight of one, its error at heavy load (approximately 100
5 percent rated test amperes) and 100 percent power factor given a weight of four, and at heavy
6 load (approximately 100 percent rated test amperes) and 50 percent lagging power factor
7 given a weight of two; or

8 2.(b) A single point, when calculating the error of ~~an electronic a totally solid-state~~
9 meter, and the single point is an accurate representation of the error over the load range of the
10 meter.

11 (2) Average Meter Registration Error for Demand Registers.

12 (a) For mechanical or lagged demand meters, registration error shall be determined by
13 testing the meter at both 40 percent and 80 percent of its full-scale value, as read on the
14 reference or standard meter, or as near to these two points as practicable. The following two
15 formulas shall be used to estimate the kilowatt error of the meter at 25 percent of full scale and
16 at 100 percent of full scale:

17
$$\underline{E_{25} = [E_{80} - E_{40}] / [R_{80} - R_{40}] * [R_{25} - R_{40}] + E_{40}}$$

18
$$\underline{E_{100} = [E_{80} - E_{40}] / [R_{80} - R_{40}] * [R_{100} - R_{40}] + E_{40}}$$

19 where:

20 R₂₅ and R₁₀₀ denote the kilowatt readings on the reference meter at 25 percent and 100
21 percent of the full scale value of the meter being tested, respectively;

22 R₄₀ and R₈₀ denote the kilowatt readings on the reference meter at 40 percent and 80
23 percent of the full scale value of the meter being tested, respectively;

24 E₄₀ is the difference in kilowatts between the reference reading (R₄₀) and the reading
25 on the meter being tested;

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1 E₈₀ is the difference in kilowatts between the reference reading (R₈₀) and the reading
2 on the meter being tested;

3 E₂₅ is the estimated kilowatt error corresponding to R₂₅; and

4 E₁₀₀ is the estimated kilowatt error corresponding to R₁₀₀.

5 The greater of these two estimated kilowatt errors, E₂₅ or E₁₀₀, shall be expressed as a
6 percentage of the full-scale value of the meter being tested to determine if the meter meets the
7 accuracy requirement of Rule 25-6.052(3)(a).

8 (b) For electronic demand meters, demand registration need not be separately tested
9 provided the meter has been inspected to contain the correct demand algorithm whenever
10 watthour registration is tested.

11 Specific Authority 366.05(1) FS.

12 Law Implemented 366.05(3) FS.

13 History—New 7-29-69, Formerly 25-6.58, Amended 5-19-97, _____.

14

15 **25-6.059 Meter Test by Request.**

16 (1) Upon request of a customer, the utility shall, without charge, make a test of the
17 accuracy of the meter in use at his premises provided that the meter has not been tested by the
18 utility or the Commission within twelve (12) months previous to such request. This may be a
19 shop test.

20 (2) Should any customer request a meter test more frequently than provided for in
21 subsection (1) of this rule, the utility may require a deposit to defray costs of testing, such
22 deposit not to exceed ~~fifteen dollars (\$15.00)~~ one hundred dollars (\$100.00) for each test. If
23 the meter is found to be running fast in excess of the allowable limit the deposit shall be
24 refunded, but if the meter is below the allowable limit, the deposit may be retained by the
25 utility as a service charge for conducting the test.

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1 (3) If the customer so desires, he or his authorized representative shall have the
2 privilege of witnessing the test. A written report giving the results of the test shall be furnished
3 to the customer upon request.

4 (4) At the request of the customer, the utility shall make arrangements for a meter test
5 to be conducted by an independent meter testing facility of the customer's choosing. The
6 customer shall be responsible for negotiating and paying to the independent meter testing
7 facility any fee charged for such a test. Such independent meter testing facilities shall, at a
8 minimum, conform to the requirements of the American National Standard for Electric
9 Metering, Code for Electricity Metering, Seventh Edition (ANSI C12.1 2001-1982), which is
10 incorporated herein by reference. Where appropriate, the meter may be field tested. The
11 customer shall be responsible for all the costs incurred by ~~to~~ the utility related to ~~associated~~
12 ~~with~~ a meter test by an independent ~~meter~~ testing facility. The utility shall provide a detailed
13 estimate of ~~such~~ costs the utility expects to incur related to the meter test and may require
14 payment of such costs prior to the actual meter test. The customer shall provide to the utility a
15 detailed estimate of charges from the independent testing facility for the meter test prior to the
16 actual test. If the meter is found to be running fast in excess of the limits established by these
17 rules, any payment collected by the utility related to the meter test ~~such costs~~ shall be
18 refunded, but if the meter is found to be within the allowable limits established by these rules,
19 the utility may retain any payments collected by the utility related to the meter test ~~the costs.~~

20 (5) The utility may, at its discretion, conduct its own test of the meter in conformance
21 with the testing standards established by these rules. In the event that separate tests of the
22 same meter conflict as to whether the meter meets the accuracy standards established by these
23 rules, at the request of the utility or the customer, the Commission will resolve the matter.

24 (6) For equipment tested under this rule, any previous accuracy test result on record at
25 the time the meter test is requested must be retained in accordance with Rule 25-6.022.

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1 Specific Authority 366.05(1) FS.

2 Law Implemented 366.05(4), (5), 366.05(3) FS.

3 History--New 7-29-69, Amended 10-11-83, Formerly 25-6.59, _____.

4

5 **25-6.060 Meter Test - Referee.**

6 (1) In the event of a dispute, upon written application to the Commission by any
7 customer, a test of the customer's meter will be made by the utility as soon as practicable. Said
8 test will be supervised by a representative of the Commission.

9 (2) A meter shall in no way be disturbed after the utility has received notice that
10 application has been made for such referee test unless a representative of the Commission is
11 present or unless authority to do so is first given in writing by the Commission or by the
12 customer.

13 (3) A report of the results of the test will be made by the Commission to the customer.

14 (4) For equipment tested under this rule, any previous accuracy test result on record at
15 the time the meter test is requested must be retained in accordance with Rule 25-6.022.

16 Specific Authority 366.05(1) FS.

17 Law Implemented 366.05(3) FS.

18 History--New 7-29-69, Formerly 25-6.60, _____.

19

20 **25-6.103 Adjustment of Bills for Meter Error.**

21 (1) For mechanical or lagged demand meters, the error at the customer's average
22 billing demand over the refund period shall be used to determine the amount to refund or
23 backbill the customer. This error shall be determined by testing the meter at both 40 percent
24 and 80 percent of meter full scale value, as read on the standard or reference meter, or as near
25 to these two points as is practicable. The following formula shall be used to estimate the

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1 kilowatt error of the meter at the customer's average billing demand:

2
$$E_{avg} = [E_{80} - E_{40}] / [M_{80} - M_{40}] * [M_{avg} - M_{40}] + E_{40}$$

3 where:

4 M_{avg} denotes the customer's average billing demand over the refund period;

5 M₄₀ and M₈₀ denote the kilowatt readings on the meter being tested when the reference
6 meter is at 40 percent and 80 percent of the full-scale value of the meter being tested,
7 respectively;

8 E₄₀ and E₈₀ denote the kilowatt errors on the meter being tested corresponding to M₄₀
9 and M₈₀, respectively; and

10 E_{avg} denotes the estimated kilowatt error at the customer's average billing demand.

11 The kilowatt error so determined, E_{avg}, shall be expressed as a percentage, P, of the
12 reference meter reading corresponding to the average billing demand. This percentage shall
13 be used to determine the corrected billing demand for each month of the refund period. A
14 correction factor, C.F., will be applied to the original billing demand for each month in the
15 refund/backbill period to determine the corrected billing demand for each month as follows:

16
$$C.F. * \text{Original Billing Demand} = \text{Corrected Billing Demand}$$

17 where:

18
$$C.F. = [1 / (1 + P)]$$

19 and P is the percentage error of E_{avg} relative to the reference meter reading
20 corresponding to the average billing demand over the refund/backbill period.

21 (2) For watthour and electronic demand meters, the percentage error to be used for
22 refunds and backbills shall be the same percentage calculated when tested for watthour
23 registration as set forth in Rules 25-6.058(1) and 25-6.058(2)(b), respectively. A correction
24 factor, C.F., will be applied to the original billing demand/energy for each month in the
25 refund/backbill period to determine the corrected billing demand/energy for each month as

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1 follows:

2 C.F. * Original Billing Demand/Energy = Corrected Billing Demand/Energy

3 where:

4 C.F. = [1/(1+P)]

5 and P is the percentage error calculated according to Rule 25-6.058(1) for watthour
6 meters and Rule 25-6.058(2)(b) for electronic demand meters.

7 (3)(1) Over-registering Fast meters. Whenever a meter tested is found to have an error
8 in excess of the plus tolerance allowed in Rule 25-6.052, F.A.C., the utility shall refund to the
9 customer the amount billed in error as determined by subsection (1) or subsection (2) of this
10 rule Rule 25-6.058, F.A.C., for one half the period since the last test, said one half period shall
11 not exceed twelve (12) months; except that if it can be shown that the error was due to some
12 cause, the date of which can be fixed, the overcharges shall be computed back to but not
13 beyond such date based upon available records. The refund shall not include any part of any
14 minimum charge.

15 (4)(2) Under-registering Slow meters.

16 (a) ~~Except as provided by this paragraph, A~~ utility may backbill in the event that a
17 meter is found to be under-registering slow, non-registering or partially registering. A utility
18 may not backbill for any period greater than twelve (12) months ~~from the date it notifies a~~
19 ~~customer that his or her meter is slow, non-registering or partially registering.~~ If it can be
20 ascertained that the meter was under-registering slow, non-registering or partially registering
21 for less than twelve (12) months ~~prior to notification,~~ then the utility may backbill only for the
22 lesser period of time. In any event, the customer may extend the payments of the backbill over
23 the same amount of time for which the utility issued the backbill. ~~Nothing in this subsection~~
24 ~~shall be construed to limit the application of Rule 25-6.104, F.A.C., or prohibit a utility from~~
25 ~~backbilling for four years pursuant to subsection (5) of this rule.~~

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions
from existing law.

1 (b) Nothing in subsection (4)(a) of this rule shall be construed to limit the application
2 of Rule 25-6.104, or prohibit a utility from backbilling for four years pursuant to subsection
3 (7) of this rule.

4 ~~(c)(b)~~ Whenever a meter is tested and not subject to Rule 25-6.104 or subsection 25-
5 6.105(5), F.A.C., and is found to have an error in excess the minus tolerance allowed by Rule
6 25-6.052, F.A.C., the utility may bill the customer an amount equal to the unbilled error as
7 determined by subsection (1) or subsection (2) of this rule. Rule 25-6.058, F.A.C., in
8 ~~accordance with this subsection. In order to determine the amount of undercharge, the~~
9 ~~recorded consumption shall be adjusted using the amount of error found by the meter to~~
10 ~~determine the correct consumption and the customer's bills in question shall be recalculated~~
11 ~~and computed to the actual bills rendered. If the utility has required a deposit for a meter test~~
12 ~~as permitted under subsection (2) of Rule 25-6.059(2), F.A.C., the customer may be billed~~
13 ~~only for that portion of the unbilled error which is in excess of the deposit retained by the~~
14 ~~utility.~~

15 (5)(e) In the event of a non-registering meter or a meter for which the test results are
16 inconclusive partially registering meter, unless the provisions of subsection (3) of this rule
17 apply, the utility may bill the customer on an estimate based on previous bills for similar usage
18 or on other sources of available data provided.

19 ~~(3) — It shall be understood that when a meter is found to be in error in excess of the~~
20 ~~prescribed limits, the figure to be used for calculating the amount of refund or charge in~~
21 ~~subsection (1) or paragraph (2)(b) above shall be that percentage of error as determined by the~~
22 ~~test.~~

23 (6)(4) Creeping. Whenever a meter, upon proper testing, is found to have a
24 registration error due to “creep” in excess of the tolerance allowed by Rule 25-6.052, F.A.C.,
25 the error shall be calculated by timing the rate of “creeping” and assuming that the creeping

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from existing law.

1 affected the registration of the meter for 25% of the time, unless a more accurate estimate of
2 the percentage of time the meter should have been inactive can be obtained.

3 ~~(7)(5)~~ Where a utility determines that a service location has not previously been
4 properly metered through errors of an electrical contractor, the utility may backbill for up to
5 four years from the date of notice to the customer that the error has been discovered.
6 The customer may extend the payments of the backbill over the same amount of time for
7 which the utility issued the backbill.

8 Specific Authority 366.05(1) FS.

9 Law Implemented 366.03, 366.041(1), 366.05(1), (3), (4), 366.06(1) FS.

10 History—New 7-29-69, Amended 4-13-80, 5-3-82, _____.

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