

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Proposed revisions to rules in Chapter  
25-22 and 25-40, F.A.C.

DOCKET NO. 050108-OT  
ORDER NO. PSC-06-1068-NOR-OT  
ISSUED: December 27, 2006

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman  
J. TERRY DEASON  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW

NOTICE OF RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-40.001, Florida Administrative Code, relating to exceptions to the uniform rules of procedure.

The attached Notice of Rulemaking will appear in the January 5, 2007 edition of the Florida Administrative Weekly.

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 January 26, 2007.

By ORDER of the Florida Public Service Commission this 27th day of December, 2006.

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

(SEAL)

LDH

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 050108-OT

RULE TITLE: RULE NO.:

Exceptions to the Uniform Rules of Procedure 25-40.001

PURPOSE AND EFFECT: To revise the list of Commission rules that are exceptions from the Uniform Rules of Procedure.

SUMMARY: Rule 25-40.001, Exceptions to the Uniform Rules of Procedure, is being amended to reflect the new exception for Rule 25-22.0022, Oral Argument, and to reflect the repeal of an existing exception, Rule 25-22.058, Oral Argument.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No SERC was prepared.

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: 120.54(5)(a)3, FS

LAW IMPLEMENTED: 120.54(5)(a)3, FS

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.

NO HEARING WILL BE HELD BECAUSE THIS RULE RELATES EXCLUSIVELY TO THE COMMISSION'S ORGANIZATION, PROCEDURE, OR PRACTICE.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULES IS Larry Harris, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6076.

THE FULL TEXT OF THESE PROPOSED RULES ARE:

25-40.001 Exceptions to the Uniform Rules of Procedure.

The following provisions of the Commission's rules are exceptions to the uniform rules of procedure:

UNIFORM RULE	COMMISSION RULE THAT IS AN EXCEPTION
CHAPTER 28-102 AGENDA AND SCHEDULING OF MEETINGS AND WORKSHOPS	25-22.0021 Agenda Conference Participation.
<u>CHAPTER 28-102 - AGENDA AND SCHEDULING OF MEETINGS AND WORKSHOPS AND CHAPTER 28-106 - DECISIONS DETERMINING SUBSTANTIAL INTERESTS</u>	<u>25-22.0022</u> <u>Oral Argument Rule</u>
28-102.001	25-22.001

<p>Notice of Public Meeting, Hearing, or Workshop.</p>	<p>Notice of Meeting or Workshop.</p>
<p>28-102.002(2) Agenda of Meetings, Hearings, and Workshops.</p>	<p>25-22.002 Agenda of Meetings.</p>
<p>CHAPTER 28-103 RULEMAKING</p>	<p>25-22.017 Rulemaking Proceeding -- Adoption</p>
<p>CHAPTER 28-106 DECISIONS DETERMINING SUBSTANTIAL INTERESTS</p>	<p>25-22.006 Confidential information 25-22.029 Point of Entry into Proposed Agency Action Proceedings. 25-22.0376 Reconsideration of Non-Final Orders. 25-22.0406(7)-(8) Notice and Public Information on General Rate Increase Requests by Electric, Gas and Telephone Companies 25-22.0407(8) and (10) Notice of and Pubic Information for</p>

	<p>General Rate Increase Requests by Water and Wastewater Utilities.</p> <p>25-22.058</p> <p>Oral Argument</p> <p>25-22.060</p> <p>Motion for Reconsideration</p>
<p>28-106.104</p> <p>Filing</p>	<p>25-22.028</p> <p>Filing, Number of Copies</p>
<p>28-106.205</p> <p>Intervention</p>	<p>25-22.039</p> <p>Intervention.</p>
<p>28-106.208</p> <p>Notice of Hearing</p>	<p>25-22.029</p> <p>Point of entry into PAA Proceeding.</p> <p>25-22.0405</p> <p>Notices of Hearing</p>
<p>28-106.212</p> <p>Subpoenas</p>	<p>25-22.045</p> <p>Subpoenas</p>
<p>CHAPTER 28-107 LICENSING</p>	<p>25-22.075 Transmission Line Permitting Proceedings.</p>

	25-22.080 Electrical Power Plant  Permitting Proceedings.
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Specific Authority 120.54(5)(a)3, FS

Law Implemented 120.54(5)(a)3, FS

History – New 4-28-99, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULES: Larry Harris

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULES:

Florida Public Service Commission.

DATE PROPOSED RULES APPROVED: March 24, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 32,  
Number 44, November 3, 2006

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).