

ORIGINAL  
STATE OF FLORIDA



COMMISSIONERS:  
LISA POLAK EDGAR, CHAIRMAN  
ISILIO ARRIAGA  
MATTHEW M. CARTER II  
KATRINA J. TEW  
KEN LITTLEFIELD

OFFICE OF THE GENERAL COUNSEL  
MICHAEL G. COOKE  
GENERAL COUNSEL  
(850) 413-6199  
RECEIVED FPSC  
JAN 23 AM 10:37

COMMISSION  
CLERK

Public Service Commission

January 23, 2007

HAND DELIVER

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

RE: Docket No. 060554-TL – Proposed adoption of Rule 25-4.084, F.A.C.,  
Carrier-of-Last-Resort; Multitenant Business and Residential Properties

Dear Mr. Boyd:

The Commission has approved the adoption of Rule 25-4.084 without changes.

We plan to file the rule for adoption on January 31, 2007.

Sincerely,

David E. Smith  
Attorney Supervisor

CMP \_\_\_\_\_

COM \_\_\_\_\_

CTR \_\_\_\_\_ 060554JAPCadopt.des.doc

ECR \_\_\_\_\_ Enclosure

GCL \_\_\_\_\_ c: Division of the Commission Clerk and  
Administrative Services

OPC \_\_\_\_\_

RCA \_\_\_\_\_

SCR \_\_\_\_\_

SGA \_\_\_\_\_

SEC   1  

OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE

00589 JAN 23 07

FPSC-COMMISSION CLERK

1            **25-4.084 Carrier-of-Last-Resort; Multitenant Business and Residential Property.**

2            (1) A petition for waiver of the carrier-of-last-resort obligation to a multitenant  
3 business or residential property pursuant to Section 364.025(6)(d), Florida Statutes, shall be  
4 filed with the Division of the Commission Clerk and Administrative Services and shall be  
5 delivered by hand delivery on the same day, or by overnight mail on the day following filing,  
6 upon the relevant owners or developers together with a copy of Section 364.025(6) and this  
7 rule.

8            (2) A petition for waiver of the carrier-of-last-resort obligation shall be limited to a  
9 single development.

10           (3) The petition must include the following:

11           (a) The name, address, telephone number, electronic mail address, and any facsimile  
12 number of the petitioner;

13           (b) The name, address, telephone number, electronic mail address, and any facsimile  
14 number of the attorney or qualified representative of the petitioner if any;

15           (c) The address or other specific description of the property for which the waiver is  
16 requested;

17           (d) The specific facts and circumstances that demonstrate good cause for the waiver  
18 as required by Section 364.025(6)(d);

19           (e) A statement that interested persons have 14 calendar days from the date the  
20 petition is received to file a response to the petition with the Commission, unless the  
21 fourteenth day falls on a Saturday, Sunday, or holiday, in which case the response must be  
22 filed no later than the next working day; and

23           (f) A statement certifying that delivery of the petition has been made on the relevant  
24 owners or developers and the method of delivery.

25           (4) A response to a petition must include the following:

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

1           (a) The name, address, telephone number, electronic mail address, and any facsimile  
2 number of the respondent;

3           (b) The name, address, telephone number, electronic mail address, and any facsimile  
4 number of the attorney or qualified representative of the respondent if any upon whom  
5 service of pleadings and other papers shall be made; and

6           (c) Whether the respondent disputes the facts and circumstances alleged in the  
7 petition.

8 Specific Authority 350.127(2) FS.

9 Law Implemented 364.025 FS.

10 History–New.

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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