

DOCKET NO. 050108-OT

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COMMISSION CLERK
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

CERTIFICATION OF
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES
FILED WITH THE
DEPARTMENT OF STATE

I do hereby certify:

/x/ (1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

/x/ (2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

/x/ (3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

/x/ (a) Are filed not more than 90 days after the notice; or

// (b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

// (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

// (d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

// (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

DOCUMENT NUMBER-DATE

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// (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

// (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

// (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

// (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

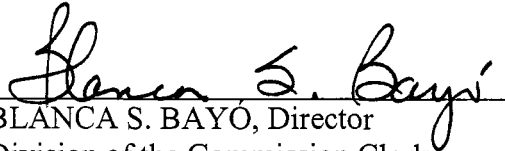
Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule No.

25-40.001

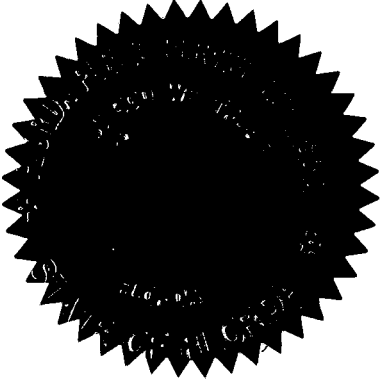
Under the provision of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: _____
(month) (day) (year)



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

Number of Pages Certified



LDH

1 **25-40.001 Exceptions to the Uniform Rules of Procedure.**

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

UNIFORM RULE	COMMISSION RULE THAT IS AN EXCEPTION
4 5 6 7 CHAPTER 28-102 8 AGENDA AND SCHEDULING OF 9 MEETINGS AND WORKSHOPS 10	25-22.0021 Agenda Conference Participation.
11 <u>CHAPTER 28-102 - AGENDA AND</u> 12 <u>SCHEDULING OF MEETINGS AND</u> 13 <u>WORKSHOPS AND CHAPTER 28-106</u> 14 <u>- DECISIONS DETERMINING</u> 15 <u>SUBSTANTIAL INTERESTS</u> 16	25-22.0022 <u>Oral Argument Rule</u> <div style="text-align: right;"> <p>2007 MAR - 8 AM 11: 09 DEPARTMENT OF STATE TALLAHASSEE, FLORIDA</p> <p>FILED</p> </div>
17 28-102.001 18 Notice of Public Meeting, Hearing, or 19 Workshop. 20 21	25-22.001 Notice of Meeting or Workshop.
22 28-102.002(2) 23 Agenda of Meetings, Hearings, and 24 Workshops. 25	25-22.002 Agenda of Meetings.

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

1		
2	CHAPTER 28-103	25-22.017
3	RULEMAKING	Rulemaking Proceeding -- Adoption
4		
5	CHAPTER 28-106	25-22.006
6	DECISIONS DETERMINING	Confidential information
7	SUBSTANTIAL INTERESTS	25-22.029
8		Point of Entry into Proposed Agency
9		Action Proceedings.
10		25-22.0376
11		Reconsideration of Non-Final Orders.
12		25-22.0406(7)-(8)
13		Notice and Public Information on General
14		Rate Increase Requests by Electric, Gas
15		and Telephone Companies
16		25-22.0407(8) and (10)
17		Notice of and Pubic Information for
18		General Rate Increase Requests by Water
19		and Wastewater Utilities.
20		25-22.058
21		Oral Argument
22		25-22.060
23		Motion for Reconsideration
24		
25		

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1	28-106.104	25-22.028
2	Filing	Filing, Number of Copies
3		
4	28-106.205	25-22.039
5	Intervention	Intervention.
6		
7	28-106.208	25-22.029
8	Notice of Hearing	Point of entry into PAA Proceeding.
9		25-22.0405
10		Notices of Hearing
11		
12	28-106.212	25-22.045
13	Subpoenas	Subpoenas
14		
15	CHAPTER 28-107 LICENSING	25-22.075 Transmission Line Permitting
16		Proceedings.
17		25-22.080 Electrical Power Plant
18		Permitting Proceedings.
19		
20		

21 Specific Authority 120.54(5)(a)3, FS
22 Law Implemented 120.54(5)(a)3, FS
23 History – New 4-28-99, Amended.
24
25

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Rule 25-40.001
Docket No. 050108-OT

SUMMARY OF RULE

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 HEARINGS ON THE RULE

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The Commission has amended rules in Chapter 25-22, F.A.C., and adopted new Rule 25-22.0022, F.A.C. The new rule is an exception to the Uniform Rules of Procedure. Accordingly, Rule 25-40.001 must be amended to reflect the new exception in the table of exceptions to the uniform rules.

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