

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL INTERESTED PERSONS

UNDOCKETED

ISSUED: October 15, 2009

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated amendments to Rules 25-22.1035, 25-22.105 and 25-22.107 and repeal of Rule 25-22.103, Florida Administrative Code, to amend provisions relating to the Commission's electronic database for orders.

The attached Notice of Proposed Rule Development will appear in the October 23, 2009, edition of the Florida Administrative Weekly. A rule development workshop will be held at the following time and place:

Florida Public Service Commission
November 9, 2009 - 9:30 a.m. – 11:30 a.m.
Betty Easley Conference Center
Room 140, 4075 Esplanade Way
Tallahassee, Florida 32399-0850

One or more Commissioners may attend and participate in the workshop. If you have any questions relating to this rulemaking please contact Cindy Miller, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6082.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Office of Commission Clerk 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 using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

DOCUMENT NUMBER-DATE

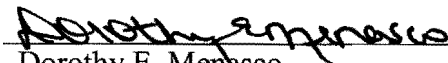
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FPSC-COMMISSION CLERK

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By DIRECTION of the Florida Public Service Commission this 15th day of October,
2009.

ANN COLE
Commission Clerk

By: 
Dorothy E. Menasco
Chief Deputy Commission Clerk

(SEAL)

CM

Notice of Development of Rulemaking

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-22.103: Orders Indexed

25-22.1035: Designation of Official Reporter

25-22.105: System for Indexing Orders

25-22.107: Plan for Making Orders and Index Available to the Public

PURPOSE AND EFFECT: To codify the Commission's process for an electronic database for Commission orders. The Commission's website would become the Official Reporter and provide free and timely access to the public for Commission orders. Undocketed.

SUBJECT AREA TO BE ADDRESSED: The Commission's electronic database of orders would be addressed, and the process for the orders to be available to the public.

RULEMAKING AUTHORITY: 120.53(2), (8), 120.533 FS

LAW IMPLEMENTED: 120.52(2), 12053(2)(a)3., 120.53(2)(d), 120.53(4)(a) FS

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: November 9, 2009 - 9:30 a.m. - 11:30 a.m.

PLACE: Betty Easley Conference Center, Room 140, 4075 Esplanade Way, Tallahassee, FL
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 (850) 413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:
Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 (850) 413-6082, cmiller@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:
25-22.103 Orders Indexed.

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~~All Commission orders shall be indexed.~~

~~Rulemaking Specific Authority 120.533 FS. Law Implemented 120.53(2)(a)3., (2)(d) FS. History–New 9-24-92, Amended 12-27-94, Repealed _____.~~

~~25-22.1035 Official Reporter for Final Orders Designation of Official Reporter.~~

~~The official reporter of the Florida Public Service Commission shall be its Web site www.psc.state.fl.us/dockets/cms, effective January 1, 2010. the Florida Public Service Commission Reporter (FPSCR), published by FALR, Inc. The official reporter shall index orders of the Commission as required by Rule 25-22.103, F.A.C. The Florida Public Service Commission Reporter (FPSCR) published by FALR will remain the designated official reporter for final orders from January 1981 to December 31, 2009., and shall publish the index and all orders. The Florida Public Service Commission Reporter is found at some county law libraries and is available by subscription at the offices of FALR, Inc., P. O. Box 385, Gainesville, FL 32602. A copy of the Florida Public Service Commission Reporter is also available for public inspection at the Office of Commission Clerk.~~

~~Rulemaking Specific Authority 120.532, 120.533 FS. Law Implemented 120.53(2)(a)3., 120.53(2)(d), 120.53(4)(a) FS. History–New 12-27-9, Amended _____.~~

~~25-22.105 Electronic Database of Orders and Other Records System for Indexing Orders.~~

~~(1) The Commission's electronic database The index shall be available from the Commission's Web site located at www.psc.state.fl.us/dockets/cms. and alphabetically arranged by main subject headings representing major categories of the Commission's regulatory jurisdiction, and taken from the Florida Statutes index, when applicable. The applicable titles of citations of the Florida Statutes construed within the final order may determine the main subject headings and subheadings in the index. The index shall show the main subject headings in all capital letters, flush left on the page, followed by relevant subheadings which shall be initial caps and lower case letters indented. Subheadings and sub-subheadings shall reflect increasingly~~

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~~specific areas or subjects addressed in Commission orders and may be taken from the text of the Florida Statutes construed. Subheadings and sub-subheadings at equal indentations shall also be alphabetized. The FPSCR citation to orders shall be listed sequentially in an indentation immediately below the applicable sub or sub-subheading. Cross references shall be used to direct the user to subject headings which contain the relevant information. The database shall include the ability to electronically search dockets by docket number, docket title, and document number. The ability to search by rRelated key words (specific words, terms, and phrases) and common and colloquial words shall be available from the “advanced search” feature on the main search page of the Commission’s Web site at <http://www.floridapsc.com/search>. Orders within this database may be searched using logical search terms that are in common usage, that are also contained within the text of the final orders, or by descriptive information about the order that may not be specifically contained in the order. From the Category drop-down selection on the “advanced search” feature for Orders, the search may optionally be further restricted. listed and cross-referenced to the appropriate main subject headings.~~ New subject headings will be added when necessary.

(2) Information shall be added to the Commission’s Web site within 24 hours of the issuance of the document by the Office of Commission Clerk.~~The index shall be cumulative for at least one calendar year and shall be updated and made available to the public at least quarterly.~~ Rulemaking Specific Authority 120.533(1)(f) FS. Law Implemented 120.53(2)-(4) FS. History—New 9-24-92, Amended 12-27-94,_____.

25-22.107 Plan for Making Orders and Index Available to the Public.

(1) No change.

(2) The Office of Commission Clerk shall assist the public in obtaining information pertaining to Commission orders and may be contacted at (850)413-6770 or at Clerk@psc.state.fl.us Questions may also be faxed to (850)413-7118.

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(3) Copies of orders, ~~in numerical order, and a copy of the Commission's official reporter~~ shall be maintained in ~~the offices of the Office of Commission Clerk~~ and electronically at the Commission's Web site, www.psc.state.fl.us/dockets/cms.
Rulemaking Specific Authority 120.53(2), (8) FS. Law Implemented 120.52(2) FS. History--New 9-24-92, Amended 12-27-94, _____.