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**Public Service Commission**

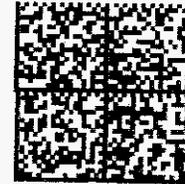
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*Notice of Proposed Rulemaking.*  
*ON 00609-10*

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

IN RE: RULE 25-22.033, FLORIDA ADMINISTRATIVE CODE, COMMUNICATIONS  
BETWEEN COMMISSION EMPLOYEES AND PARTIES

NOTICE OF PROPOSED RULE DEVELOPMENT  
AND COMMISSION WORKSHOP

TO: ALL INTERESTED PERSONS

ISSUED: January 27, 2010

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission has initiated the development of Rule 25-22.033, Florida Administrative Code, to amend provisions relating to communications with parties and interested persons.

The Florida Public Service Commission will hold a rule development workshop at the following time and place:

9:30 a.m., February 10, 2010  
Betty Easley Conference Center  
Room 148, 4075 Esplanade Way  
Tallahassee, Florida 32399-0850

The agenda for the workshop and draft amendments to the rule are attached. Participants may, in type and strike format, provide suggested alternative proposals by February 4, 2010, for discussion at the workshop. Please submit such proposals to Samantha Cibula at [scibula@psc.state.fl.us](mailto:scibula@psc.state.fl.us) or at 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. Ms. Cibula may also be contacted at (850) 413-6202.

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 workshop. 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).

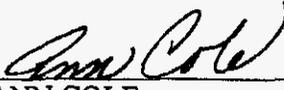
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FPSC-COMMISSION CLERK

NOTICE OF PROPOSED RULE DEVELOPMENT  
UNDOCKETED  
PAGE 2

By DIRECTION of the Florida Public Service Commission, this 27th day of January,  
2010.

  
\_\_\_\_\_  
ANN COLE  
Commission Clerk

(SEAL)

CM

## **AGENDA**

### **IN RE: COMMISSION RULE DEVELOPMENT WORKSHOP ON RULE 25-22.033, FLORIDA ADMINISTRATIVE CODE, COMMUNICATIONS BETWEEN COMMISSION EMPLOYEES AND PARTIES**

**February 10, 2010 – 9:30 a.m.  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399**

- I. Opening Remarks by Workshop Participants**
- II. Section by Section Discussion of Draft Amendments to Rule 25-22.033, F.A.C.**
- III. Any Additional Comments by Workshop Participants**
- IV. Discussion of Next Steps for the Rulemaking**
- V. Adjournment**

1 **25-22.033 Commission Employee Communications with ~~Communications Between~~**  
2 **~~Commission Employees and Parties and Interested Persons.~~**

3 (1) The Commission recognizes that Commission employees must exchange  
4 information with parties and other persons who have an interest in Commission proceedings.  
5 However, the Commission also recognizes that all parties and interested persons to docketed  
6 ~~adjudicatory~~ proceedings need to be notified and given an opportunity to participate in certain  
7 communications. The intent of this rule is not to prevent or hinder in any way the exchange of  
8 information, but to provide all parties and interested persons to ~~docketed~~ ~~adjudicatory~~  
9 proceedings notification of and the opportunity to participate in certain communications.

10 (2)(4) This rule shall govern ~~communications between~~ Commission employees  
11 communications with ~~and~~ parties and interested persons to docketed proceedings before the  
12 Commission. This rule shall not apply ~~to~~ in emergency operation center activities, proceedings  
13 under Sections ~~120.54, 120.565, 367.0814, F.S. Florida Statutes,~~ proposed agency action  
14 proceedings before the Commission has voted to issue a proposed agency action order, non-  
15 rate case tariffs, workshops, ~~or~~ internal affairs meetings, ~~Also exempted are~~ docketed and  
16 undocketed audits, field telephone service evaluations, informal consumer complaints, and  
17 electric and gas safety inspections, and cases pending in the court system. Nothing in this rule  
18 is intended to modify or supersede the procedural requirements for formal discovery under  
19 Rules 1.280 through 1.390, the Commission's rules and applicable provisions of the Florida  
20 Rules of Civil Procedure, or affect communications regarding discovery requests, procedure,  
21 ~~or other matters not concerned with the merits of a case.~~

22 (3) For purposes of this rule, the following definitions shall apply:

23 (a) "Party" or "Parties" are those individuals or entities designated in the docket file of  
24 the proceeding or by order of the Commission as an Official Party of Record.

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