

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of:

DOCKET NO. UNDOCKETED

RULEMAKING TO AMEND RULES  
25-6.050 AND 25-6.100, F.A.C.,  
ON LOCATION OF METERS AND  
CUSTOMER BILLING.

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PROCEEDINGS: STAFF RULE DEVELOPMENT WORKSHOP

TAKEN AT THE  
INSTANCE OF: The Staff of the Florida  
Public Service Commission

DATE: Thursday, May 17, 2012

TIME: Commenced at 1:30 p.m.  
Concluded at 1:40 p.m.

PLACE: Betty Easley Conference Center  
Hearing Room 148  
4075 Esplanade Way  
Tallahassee, Florida

REPORTED BY: JANE FAUROT, RPR  
Official FPSC Reporter  
(850) 413-6732

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FLORIDA PUBLIC SERVICE COMMISSION 03268 MAY 23 2012

FPSC-COMMISSION CLERK

## P R O C E E D I N G S

1  
2           **MS. MILLER:** Okay. Let's go ahead and get  
3 started. Welcome.

4           Pursuant to notice issued, this date, time,  
5 and place were set for a Rule Development Workshop on  
6 Rules 25-6.050 and 25-6.100, Florida Administrative  
7 Code, relating to location of meters and customer  
8 billings.

9           I'm Cindy Miller with the Office of General  
10 Counsel, and with me are Connie Kummer and Bill McNulty  
11 of technical staff. We have materials over here and we  
12 have a sign-in sheet. We have a court reporter, and we  
13 think we will go ahead and take appearances in a minute,  
14 and then Connie Kummer will provide an overview of the  
15 rules and we'll receive alternative suggestions and  
16 comments.

17           Okay. Let's go ahead and take appearances  
18 starting with my left.

19           **MR. BEASLEY:** Jim Beasley for Tampa Electric  
20 Company.

21           **MS. RODDY:** Lisa Roddy with Progress Energy.

22           **MR. BADDERS:** Russell Badders representing  
23 Gulf Power Company.

24           **MR. RUBIN:** Ken Rubin with FPL.

25           **MS. MILLER:** Okay. Connie, do you want to do

1 a walk-through of the two rules?

2 MS. KUMMER: We think this is primarily  
3 clean-up type changes, clarification issues. I don't  
4 think we are changing policy or breaking any real new  
5 ground here.

6 Rule 25-6.050, the proposed change adds  
7 language to codify what I believe is existing in most  
8 utilities' tariffs today. Utilities are charged with  
9 installing facilities in the most cost-effective manner  
10 in order to minimize overall rates. If a customer  
11 requests something different from what the utility  
12 proposes, the customer is responsible for any costs  
13 associated with that request in excess of what may  
14 already be included in base rates. Again, I think that  
15 is just a codification of what y'all are doing. If  
16 that's not the case, please tell us that today.

17 Rule 25-6.100, the current rule requires that  
18 a bill show the address and telephone number of the  
19 utility-owned local offices where a customer may  
20 transact utility business. Company-owned local offices  
21 began to be replaced early in the 1990s with more and  
22 more widely dispersed payment locations. I don't think  
23 any of you still have company-owned customer offices.  
24 Again, there might be some, but I'm not aware of any.  
25 The proposed rule change removes the reference to local

1 offices, and more appropriately recognizes the way that  
2 we see that the utilities are doing business today.

3 I understand we have comments on both of them,  
4 so let's start with 6.050.

5 **MR. BEASLEY:** Thank you. Jim Beasley for  
6 Tampa Electric.

7 We are in concurrence with the staff's  
8 proposed changes. We had circulated a one-page document  
9 that contains two suggested sets of changes to 25-6.050  
10 and 25-6.100.

11 With respect to 25-6.050, our change would be  
12 consistent with what the staff had done or had  
13 suggested. Ours would just simply add reference to both  
14 new installations as well as changes requested by a  
15 customer for an existing meter that is already located  
16 on the customer's property, so that it would be  
17 consistent with the staff's approach to have the person  
18 who is causing a change from the norm to pay the  
19 incremental cost of that change whether it's a new  
20 installation or relocation of an existing meter.

21 Did you want to go ahead with the other,  
22 25-6.100, or do you want --

23 **MS. KUMMER:** (Inaudible; microphone off.) --  
24 because I think Power and Light also submitted comments,  
25 if you would like to talk about those.

1           **MR. RUBIN:** After seeing Mr. Beasley's  
2 suggested language, we concur with that language. I  
3 don't know that there's any need to go back to our  
4 original comments, because that looks fine to us.

5           **MR. BADDERS:** And Gulf Power supports the  
6 comments that TECO has filed in this.

7           **MS. RODDY:** And Progress would support that,  
8 as well.

9           **MS. KUMMER:** I honestly don't have a problem  
10 with the changes, either. I think it is clearer. So  
11 from my perspective, I wouldn't have a problem adopting  
12 the language that TECO has proposed as staff's position.

13           Okay; .100, 6.100.

14           **MR. BEASLEY:** With respect to 25-6.100, again,  
15 we are in concurrence with the direction staff is  
16 taking. The changes that we have suggested are to  
17 ensure that the customer gets information about all  
18 locations from the company through a toll-free number  
19 where they can pay their bill. Our change there was to  
20 make sure that they were apprised as to places where  
21 they could pay for free or where there might be a  
22 charge. Just in case the customer might have a small  
23 charge, you know, two blocks away, we could tell them  
24 about that, or where they could pay for free, that might  
25 be 12 miles away, so we wouldn't want them to not know

1 that they could spend less money by paying two dollars  
2 right next door as opposed to driving 12 miles to a  
3 place where they could pay for free. It gives them all  
4 the information they need to make a wise decision on how  
5 to pay their bill.

6 MS. KUMMER: Okay. Does TECO or do the  
7 customer reps tell the customer which locations are fee  
8 versus nonfee?

9 MR. BEASLEY: Let me -- yes, I am apprised  
10 that that is correct.

11 MS. KUMMER: That was my concern. And this  
12 came out, again, the whole closure of the local offices  
13 in the 1990s was that there was a requirement that you  
14 maintain locations where a customer can pay a bill  
15 without a fee with the understanding that listing all of  
16 them would delineate for the customer which locations  
17 cost and which ones don't.

18 MR. BEASLEY: Right.

19 MS. KUMMER: Again, I would be all right with  
20 that.

21 MR. BEASLEY: Great. Thank you.

22 MS. RODDY: Connie, just a question. This is  
23 Lisa with Progress. It is my understanding that it is  
24 not staff's intention to have the pay station locations  
25 listed on the bill themselves, it's just to have that

1 number, correct?

2 MS. KUMMER: That is correct. No, we never  
3 intended for you to list them on the bill simply because  
4 it is too burdensome and they do change over times is my  
5 understanding.

6 MS. RODDY: Great.

7 MS. KUMMER: Everything or most everything now  
8 is done electronically or by telephone, and as long as  
9 the customer has access to that information, readily has  
10 access to that information, I think that is sufficient.

11 MS. RODDY: I know for Progress we have the  
12 website as well as that number, which they can get to  
13 those pay station locations either through the number or  
14 the website itself. So thank you for that.

15 MS. KUMMER: I think the other utilities have  
16 the locations available on their website, as well.

17 MS. RODDY: Thank you for that.

18 MR. BADDERS: Gulf Power supports Tampa  
19 Electric's modifications to this. I will point out we  
20 do still have some local offices, but they are slowly  
21 also going to the wayside, but we currently do have a  
22 few.

23 MR. RUBIN: And from Florida Power and Light's  
24 perspective, the only question I would have, and I think  
25 that there has been communications with staff about

1 this, but the rule begins by saying the name and  
2 address, and our bill includes a post office box number  
3 because there is no physical office where the customer  
4 can come and pay, and we just wanted to make sure that  
5 that was consistent with staff's intention.

6 MS. KUMMER: Again, speaking for myself, an  
7 address is an address. We're not talking about physical  
8 location.

9 MR. RUBIN: Okay. Thank you.

10 MR. BEASLEY: Connie, we had one further minor  
11 suggestion in 25-6.100. At the beginning of Subsection  
12 2 on Line 4, we would suggest striking the phrase by  
13 January 1, 1983, as being unnecessary and just start it  
14 out each customer's bill shall show, et cetera.

15 MS. KUMMER: I think that would be an  
16 appropriate change, yes, to strike that.

17 MR. BEASLEY: Before we get to the 30th  
18 anniversary of that date.

19 (Laughter.)

20 MS. KUMMER: Yes, we are well past 1983. Good  
21 catch.

22 MR. BEASLEY: That was Mr. Ashburn and Mr.  
23 Stiles that caught it.

24 (Laughter.)

25 MS. KUMMER: Thank you, gentlemen.



1           **MS. MILLER:** I think we are at the stage to  
2 discuss next steps. From what I have heard today, I  
3 don't see the need for anyone to file comments, but, you  
4 know, we will have it out there if anybody wants to.  
5 You know, in a couple of weeks we could put a date on  
6 it. We were thinking that there might be more issues.  
7 What we were going to go with was June 14th. I don't  
8 see any reason to wait that long, so we will change that  
9 to June 7th, so that if there are any comments anyone  
10 feels compelled to add, but it seems like there is not  
11 anything we are hearing. So, we will make that June 7th  
12 for any additional comments. You certainly don't need  
13 to provide what has been discussed today. We have heard  
14 that.

15           **MS. KUMMER:** I would just add that OPC is not  
16 represented today, and I don't know why they would take  
17 issue with any of this, but, you know, the comment  
18 period is out there in case they want to provide  
19 comments.

20           **MR. BEASLEY:** Sure.

21           **MS. MILLER:** The way the rulemaking process  
22 works is after we develop a staff consensus proposal  
23 then we ask for a statement of estimated regulatory  
24 costs, and Mr. McNulty provides that, so I don't know if  
25 there are any comments y'all want to make on it. It

1 seems like what you're saying is this is codifying  
2 existing practice.

3 **MR. BEASLEY:** That's correct.

4 **MS. MILLER:** Bill, would you like to ask  
5 anything?

6 **MR. McNULTY:** Sure. Just a request that if  
7 you do want to provide comments by June 7th and you want  
8 to speak to the question of costs that we would be  
9 looking for as Cindy implied, a change in cost relative  
10 to the business practices that you have today for either  
11 of these rules, we will be looking for what that  
12 estimated change in cost would be. If it's zero, fine.  
13 If you find there is some area of cost that is new, then  
14 that will help us expedite the whole process of doing  
15 the statement of estimated regulatory cost.

16 **MS. MILLER:** Then after we receive what is  
17 called the SERC, then we file a recommendation at  
18 agenda, and so there is yet another opportunity where  
19 people can speak up if there is some issue. Now, we put  
20 it out for notice in the Florida Administrative Weekly  
21 and there is 21 days after that where people can file  
22 comments or request a hearing. And if there are such  
23 things, then we will go back to agenda. Otherwise we  
24 may then file it with the Department of State, and it is  
25 20 days after we file with the Department of State that

1 it becomes effective.

2 Any other comments or questions?

3 Thank you for making the trip here. We're  
4 adjourned.

5 (The Staff Workshop concluded at 1:40 p.m.)

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STATE OF FLORIDA )

: CERTIFICATE OF REPORTER

COUNTY OF LEON )

I, JANE FAUROT, RPR, Chief, Hearing Reporter Services Section, FPSC Division of Commission Clerk, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 23rd day of May, 2012.



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