

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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13 JAN 15 PH 2: 29

COMMISSION
CLERK

DATE: January 15, 2013
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Cindy Miller, Office of the General Counsel *CM*
RE: Docket No. 120252-EI

Please file the attached rule certification packet for Rules 25-6.050 and 25-6.100, F.A.C., in the docket file listed above.

Thank you.

Attachment

DOCUMENT NUMBER-DATE
00294 JAN 15 2013
FPSC-COMMISSION CLERK

COMMISSIONERS:
RONALD A. BRISÉ, CHAIRMAN
LISA POLAK EDGAR
ART GRAHAM
EDUARDO E. BALBIS
JULIE I. BROWN

STATE OF FLORIDA



GENERAL COUNSEL
S. CURTIS KISER
(850) 413-6199

Public Service Commission

January 15, 2013

Ms. Liz Cloud
Florida Department of State
Administrative Code and Weekly Section
Room 701, the Capitol
Tallahassee, FL 32399-0250

VIA HAND DELIVERY

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

2013 JAN 15 AM 11:55

FILED

Re: Rule Certification Packet for Rules 25-6.050 and 25-6.100, F.A.C.

Dear Ms. Cloud:

Enclosed for filing is a complete rule certification packet for Rules 25-6.050 and 25-6.100, F.A.C., consisting of:

- (1) One compact disc containing the coded text of the rules;
- (2) There are no materials incorporated by reference into these rules;
- (3) One original and two copies of the signed rule certification form;
- (4) One original and two copies of the coded text of the rules, including the legal citations and history notes;
- (5) One original and two copies of the summary of the rules;
- (6) One original and two copies of the detailed written statement of the facts and circumstances justifying the rules; and
- (7) One original and two copies of the summary of the hearings held on the rules.

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Please let me know if you have any questions. The contact name and information for these rules are Cindy Miller, Florida Public Service Commission, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0250, (850) 413-6082, cmiller@psc.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Cindy Miller", written in a cursive style.

Cindy Miller
Senior Attorney

Enclosures

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

I hereby certify:

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

(2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and

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

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

(b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; 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

(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 Regulatory Advisory Committee.

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 Nos.

25-6.050

25-6.100

Under the provision of Section 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)



ANN COLE

Commission Clerk
Title _____
3
Number of Pages Certified

25-6.050 Location of Meters.

The utility shall designate to an applicant or its customers the location for meter placement. Locations of meters ~~shall~~ should be easily accessible for reading, testing, and making necessary adjustments and repairs. If an applicant requests a different location for meter placement from that designated by the utility on initial application for service and the utility agrees that the different meter location is acceptable to the utility, the applicant shall pay the incremental cost of installing the meter at the different location. If an existing customer requests relocation of an existing installed meter and the utility agrees that the different meter location is acceptable to the utility, the existing customer shall pay the incremental cost of relocating the meter at the different location.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—New 7-29-69, Amended _____, Formerly 25-6.50.

25-6.100 Customer Billings.

- (1) Bills shall be rendered monthly and as promptly as possible following the reading of meters.
- (2) By January 1, 1983, each customer's bill shall show at least the following information:
 - (a) The meter reading and the date the meter is read, in addition to the meter reading for the previous period. If the meter reading is estimated, the word "estimated" shall be prominently displayed on the bill.
 - (b)1. Kilowatt-hours (KWH) consumed including on and off peak if customer is time-of-day metered.
2. Kilowatt (KW) demand, if applicable, including on and off peak if customer is time-of-day metered.
 - (c) The dollar amount of the bill, including separately:
 1. Customer charge.
 2. Energy (KWH) charge, exclusive of fuel, in cents per KWH, including amounts for on and off peak if the customer is time-of-day metered, and energy conservation costs.
 3. Demand (KW) charge, exclusive of fuel, in dollar cost per KW, if applicable, including amounts for on and off peak if the customer is time-of-day metered.
 4. Fuel cost in cents per KWH (no fuel costs shall be included in the base charge for demand or energy).
 5. Total electric cost which is the sum of the customer charge, total fuel cost, total energy cost, and total demand cost.
 6. Franchise fees, if applicable.

7. Taxes, as applicable on purchases of electricity by the customer.
 8. Any discount or penalty, if applicable.
 9. Past due balances shown separately.
 10. The gross and net billing, if applicable.
- (d) Identification of the applicable rate schedule.
 - (e) The date by which payment must be made in order to benefit from any discount or avoid any penalty, if applicable.
 - (f) The average daily KWH consumption for the current period and for the same period in the previous year, for the same customer at the same location.
 - (g) The delinquent date or the date after which the bill becomes past due.
 - (h) Any conversion factors which can be used by customers to convert from meter reading units to billing units. Where metering complexity makes this requirement impractical, a statement must be on the bill advising that such information may be obtained by contacting the utility's local business office.
 - (i) Where budget billing is used, the bill shall contain the current month's consumption and charges separately from budgeted amounts.
 - (j) The name and address of the utility plus the toll-free number(s) where customers can receive information about their bill as well as locations where the customers can pay their utility bill. Such information must identify those locations where no surcharge is incurred. ~~address and telephone number of the local office where the bill can be paid and any questions about the bill can be answered.~~
- (3) When there is sufficient cause, estimated bills may be submitted provided that with the third consecutive estimated bill the company shall contact the customer explaining the reason for the estimated billing and who to contact in order to obtain an actual meter reading. An actual meter reading must be taken at least once every six months. If an estimated bill appears to be abnormal when a subsequent reading is obtained, the bill for the entire period shall be computed at a rate which contemplates the use of service during the entire period and the estimated bill shall be deducted. If there is reasonable evidence that such use occurred during only one billing period, the bill shall be computed.
 - (4) The regular meter reading date may be advanced or postponed not more than five days without a pro-ration of the billing for the period.

(5) Whenever the period of service for which an initial or opening bill is rendered is less than the normal billing period, the charges applicable to such service, including minimum charges, shall be pro-rated except that initial or opening bills need not be rendered but the energy used during such period may be carried over to and included in the next regular monthly billing.

(6) The practices employed by each utility regarding customer billing shall have uniform application to all customers on the same rate schedule.

(7) Franchise Fees.

(a) When a municipality charges a utility any franchise fee, the utility may collect that fee only from its customers receiving service within that municipality. When a county charges a utility any franchise fee, the utility may collect that fee only from its customers receiving service within that county.

(b) A utility may not incorporate any franchise fee into its other rates for service.

(c) For the purposes of this subsection, the term "utility" shall mean any electric utility, rural electric cooperative, or municipal electric utility.

(d) This subsection shall not be construed as granting a municipality or county the authority to charge a franchise fee. This subsection only specifies the method of collection of a franchise fee, if a municipality or county, having authority to do so, charges a franchise fee.

Specific Authority 366.05(1), 366.04(2) FS. Law Implemented 366.03, 366.04(2), 366.041(1), 366.051, 366.06(1) FS. History—New 2-25-76, Amended 4-13-80, 12-29-81, 6-28-82, 5-16-83, _____.

SUMMARY OF THE RULE

Rule 25-6.050, Location of Meters, clarifies that applicants for electric service who request a different meter location than that designated by the utility must pay the incremental cost of the meter installation. Rule 25-6.100, Customer Billing, requires the utilities to provide a toll free number where customers may receive information about their bill and about locations where customers may pay their bills.

WRITTEN STATEMENT OF THE FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Rule 25-6.050, F.A.C., is amended to address circumstances when a customer requests a different location of a utility meter. Also, Rule 25-6.100, F.A.C., regarding customer billing, refers to local offices where a customer may receive information about a bill. However, those offices are being phased out. Instead, a toll free number is provided for information.

SUMMARY OF ANY HEARINGS HELD ON THE RULE

No timely request for a hearing was received by the agency, and no hearing was held.