

State of Florida



## Public Service Commission

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

**-M-E-M-O-R-A-N-D-U-M-**

---

**DATE:** June 25, 2013  
**TO:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**FROM:** Kathryn Gale Winter Cowdery, Senior Attorney, Office of the General Counsel  
**RE:** Docket 110303-OT

---

Please file the attached document in the docket file listed above.

Thank you

RECEIVED FPSC  
13 JUN 25 PM 2:41  
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

June 25, 2013

The Honorable Don Gaetz, President  
The Florida Senate  
409 The Capitol  
The President's Office  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Via Hand-Delivery

The Honorable Will Weatherford, Speaker  
Florida House of Representatives  
420 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Mr. Kenneth Plante, Coordinator  
Joint Administrative Procedures Committee  
Room 680, Pepper Building  
111 W. Madison Street  
Tallahassee, FL 32399-1400

Dear President Gaetz, Speaker Weatherford, and Mr. Plante:

Attached is the Florida Public Service Commission's regulatory plan as required by Section 120.74(3), Florida Statutes, identifying and describing each rule the agency proposes to adopt for the 12-month period beginning on July 1, 2013.

Sincerely,

A handwritten signature in cursive script, appearing to read "Curt".

S. Curtis Kiser  
General Counsel

KC  
Enclosure

*Please note office stamp on following page. Original on back of this page.*

RECEIVED

2013 JUN 25 A 11:00

OFFICE OF THE  
CLERK OF COURTS

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

June 25, 2013

The Honorable Don Gaetz, President  
The Florida Senate  
409 The Capitol  
The President's Office  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Via Hand-Delivery

The Honorable Will Weatherford, Speaker  
Florida House of Representatives  
420 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Mr. Kenneth Plante, Coordinator  
Joint Administrative Procedures Committee  
Room 680, Pepper Building  
111 W. Madison Street  
Tallahassee, FL 32399-1400

Dear President Gaetz, Speaker Weatherford, and Mr. Plante:

Attached is the Florida Public Service Commission's regulatory plan as required by Section 120.74(3), Florida Statutes, identifying and describing each rule the agency proposes to adopt for the 12-month period beginning on July 1, 2013.

Sincerely,

A handwritten signature in cursive script, appearing to read "Curt".

S. Curtis Kiser  
General Counsel

KC  
Enclosure

RECEIVED  
OFFICE OF THE SPEAKER  
13 JUN 25 AM 11:00

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

June 25, 2013

The Honorable Don Gaetz, President  
The Florida Senate  
409 The Capitol  
The President's Office  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Via Hand-Delivery

The Honorable Will Weatherford, Speaker  
Florida House of Representatives  
420 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Mr. Kenneth Plante, Coordinator  
Joint Administrative Procedures Committee  
Room 680, Pepper Building  
111 W. Madison Street  
Tallahassee, FL 32399-1400

Dear President Gaetz, Speaker Weatherford, and Mr. Plante:

Attached is the Florida Public Service Commission's regulatory plan as required by Section 120.74(3), Florida Statutes, identifying and describing each rule the agency proposes to adopt for the 12-month period beginning on July 1, 2013.

Sincerely,

A handwritten signature in cursive script, appearing to read "Curt".

S. Curtis Kiser  
General Counsel

KC  
Enclosure

RECEIVED  
2013 JUN 25 AM 10:57  
FLORIDA PUBLIC SERVICE COMMISSION

June 25, 2013

Page 2

**Cc: Ronald A. Brisé, Chairman**  
**Lisa Polak Edgar, Commissioner**  
**Art Graham, Commissioner**  
**Eduardo E. Balbis, Commissioner**  
**Julie I. Brown, Commissioner**  
**Braulio Baez, Executive Director**  
**Charles Hill, Deputy Executive Director- Technical**  
**Apryl Lynn, Deputy Executive Director – Administrative**  
**Mary Anne Helton, Deputy General Counsel**  
**Beth Salak, Director, Office of Telecommunications**  
**Marshall Willis, Director, Division of Accounting & Finance**  
**Thomas Ballinger, Director, Division of Engineering**  
**Jim Dean, Director, Division of Economics**

**INDUSTRY: ELECTRIC AND GAS  
REGULATORY PLAN  
PROPOSED RULE ADOPTIONS  
JULY 1, 2013 – JUNE 30, 2014**

DOCKET NO./ PROJECT NO.	RULES ADDRESSED	DESCRIPTION
130148-PU	Rule 25-6.0431, Petition for a Limited Proceeding	Adopt rule setting forth application requirements for filing a petition for a limited proceeding for electric utilities, to comport with section 366.06(1), F.S., and implement section 366.076, F.S., as requested by the Joint Administrative Procedures Committee
	Rule 25-7.0391, Petition for a Limited Proceeding	Adopt rule setting forth application requirements for filing a petition for a limited proceeding for gas utilities, to comport with section 366.06(1), F.S., and implement section 366.076, F.S., as requested by the Joint Administrative Procedures Committee
	Rule 25-22.0406, Notice and Public Information on General Rate Increase Requests by Electric, Gas and Telephone Companies	Amend rule to delete references to telephone companies, to revise outdated noticing procedures, and to address noticing customers in a limited proceeding filed pursuant to draft Rules 25-6.0431 and 25-7.0391
130168-EU	Rule 25-17.006, Electric Utility System Conservation End Use Data	Repeal rule to eliminate obsolete and duplicative data filing requirements
Not yet assigned	Rule 25-6.0423, Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery	Amend rule to implement 2013 Legislative amendments to section 366.93(2), F.S.

**INDUSTRY: GENERIC  
REGULATORY PLAN  
PROPOSED RULE ADOPTIONS  
JULY 1, 2013 – JUNE 30, 2014**

DOCKET NO./ PROJECT NO.	RULES ADDRESSED	DESCRIPTION
None	Rule 25-25.001, Purpose	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.002, Intent	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.003, Definitions	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.004, Procurement Organization	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.005, Delegation of Authority	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.006, Formal Bids Required	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.0061, Purchasing Threshold Amounts and Procedures for Automatic Annual Adjustments	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.007, Legal Advertisements	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal



**INDUSTRY: GENERIC  
REGULATORY PLAN  
PROPOSED RULE ADOPTIONS  
JULY 1, 2013 – JUNE 30, 2014**

DOCKET NO./ PROJECT NO.	RULES ADDRESSED	DESCRIPTION
None (cont.)	Rule 25-25.008, Contracts for Class B Printing	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.009, Source Selection, Bid Openings and Contract Awards	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.010, Single Source Procurement	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.011, Emergency Procurement	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.012, Responsibility of Bidders and Offerors	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.013, Multi-term Contracts	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.014, Cancellation Clause	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.015, Installment Sale and Purchase Contracts	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.016, Exemptions from Competitive Bid Requirements	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal

**INDUSTRY: GENERIC  
REGULATORY PLAN  
PROPOSED RULE ADOPTIONS  
JULY 1, 2013 – JUNE 30, 2014**

DOCKET NO./ PROJECT NO.	RULES ADDRESSED	DESCRIPTION
None (cont.)	Rule 25-25.017, Bid Borrowing	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.018, Use of the Terms “or equivalent” and “no substitute”	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.019, Purchases Not Requiring Formal Bids	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.020, Determinations	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.021, Protest of Commission Decision	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.022, Acquisition of Printing, Duplicating and Reproduction Equipment	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.023, Vendors and Suppliers	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.024, Contractual Services	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal

**INDUSTRY: GENERIC  
REGULATORY PLAN  
PROPOSED RULE ADOPTIONS  
JULY 1, 2013 – JUNE 30, 2014**

<b>DOCKET NO./ PROJECT NO.</b>	<b>RULES ADDRESSED</b>	<b>DESCRIPTION</b>
None (cont.)	Rule 25-25.025, Minority Business Companies	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal
	Rule 25-25.030, Leases for Real Property	Review rule to determine whether to initiate rulemaking to amend to update rule requirements or repeal

**INDUSTRY: TELECOMMUNICATIONS  
REGULATORY PLAN  
PROPOSED RULE ADOPTIONS  
JULY 1, 2013 – JUNE 30, 2014**

DOCKET NO./ PROJECT NO.	RULES ADDRESSED	DESCRIPTION
R-11-012	Rule 25-4.0665, Lifeline Service	Amend rule to eliminate quarterly reporting, to require that Lifeline service may not be discontinued when certain taxes and fees are paid, and to clarify carrier responsibilities to conform to new federal Lifeline rules
	Rule 25-4.113, Refusal or Discontinuance of Service by Company	Repeal rule to implement statutory changes to chapter 364, F.S., made by the Regulatory Reform Act of 2011
120208-TP	Rule 25-22.0365, Expedited Dispute Resolution Process for Telecommunications Companies	Rulemaking initiated in response to petition to initiate rulemaking filed on July 31, 2012, by Competitive Carriers of the South, Inc.
Not yet assigned	Rule 25-4.002, Application and Scope	Amend rule for consistency with recent rule amendments implementing statutory changes to chapter 364, F.S., made by the Regulatory Reform Act of 2011
	Rule 25-4.003, Definitions	Amend rule to eliminate unnecessary definitions and to make definitions consistent with recent rule amendments implementing statutory changes to chapter 364, F.S., made by the Regulatory Reform Act of 2011
	Rule 25-24.505, Scope	Review rule to determine whether to amend or repeal based upon recent rule amendments implementing statutory changes to chapter 364, F.S., made by the Regulatory Reform Act of 2011
	Rule 25-24.555, Scope and Waiver	Repeal rule as obsolete based upon recent rule amendments implementing statutory changes to chapter 364, F.S., made by the Regulatory Reform Act of 2011

**INDUSTRY: TELECOMMUNICATIONS  
REGULATORY PLAN  
PROPOSED RULE ADOPTIONS  
JULY 1, 2013 – JUNE 30, 2014**

DOCKET NO./ PROJECT NO.	RULES ADDRESSED	DESCRIPTION
Not yet assigned (cont.)	Rule 25-24.560, Terms and Definitions	Repeal rule as obsolete based upon recent rule amendments implementing statutory changes to chapter 364, F.S., made by the Regulatory Reform Act of 2011

**INDUSTRY: WATER AND WASTEWATER  
REGULATORY PLAN  
PROPOSED RULE ADOPTIONS  
JULY 1, 2013 – JUNE 30, 2014**

DOCKET NO./ PROJECT NO.	RULES ADDRESSED	DESCRIPTION
R-10-005	Rule 25-30.030, Notice of Application	Amend rule to identify types of applications requiring a notice; requires property owners to be noticed in addition to customers; no notice required for certain scenarios
	Rule 25-30.032, Applications	Amend rule to require six copies of applications except transfers to exempt entities or government or abandonment; lists official filing date
	Rule 25-30.033, Application for Original Certificate of Authorization and Initial Rates and Charges	Amend rule to provide for optional e-mail and fax; requires documentation instead of a statement; provides requirements for “financial ability” and “technical ability” criteria; requires land use designation; lists documents for land ownership; requires electronic tariff; lists separate schedule requirements for system cost/depreciation and other cost issues
	Rule 25-30.034, Application for Certificate of Authorization for Existing Utility Currently Charging for Services	Amend rule to require identification of proposed territory not currently served; requires documentation of need and land use designation for area not currently served
	Rule 25-30.035, Application for Grandfather Certificate	Amend rule to address application for certificate following transfer of jurisdiction by county; requires documentation of county authorized territory and rates and charges
	Rule 25-30.036, Application for Amendment to Certificate of Authorization to Extend or Delete Service	Amend rule to add requirement for composite description, in addition to description of territory added or deleted
	Rule 25-30.037, Application for Authority to Transfer	Amend rule to provide for transfer of an exempt entity to a regulated entity; creates rule provision for change of ownership of the utility parent; creates rules provision for transfer of a regulated utility to an exempt entity

**INDUSTRY: WATER AND WASTEWATER  
REGULATORY PLAN  
PROPOSED RULE ADOPTIONS  
JULY 1, 2013 – JUNE 30, 2014**

DOCKET NO./ PROJECT NO.	RULES ADDRESSED	DESCRIPTION
R-10-005 (cont.)	Rule 25-30.039, Application for Name Change	Amend rule for wording changes for ease of understanding
	Rule 25-30.090, Abandonments	Amend rule to provide that abandoning utility must give information on location of books and records
	Rule 25-30.029, Legal Description of Service Area	Adopt rule to identify types of applications requiring a legal description; describe requirements for legal description previously included in notice rule; allow reference to local streets