

RECEIVED-FPSC

14 NOV 25 AM 11:39

COMMISSION
CLERK

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-6.014: Records and Reports in General

25-6.015: Location and Preservation of Records

PURPOSE AND EFFECT: The amendments conform the rules to the current federal Uniform System of Accounts applicable to electric utilities. The rules have been generally updated and clarified for greater usability.

Docket No. 140124-PU.

SUMMARY: The amendments clarify and update the rules to current accounting standards and principles as found in the U.S. Code of Federal Regulations. The amendments also eliminate the requirement that electric utilities retain original source documents for a minimum of three years where the documents have been added to a storage and retrieval system, remove provisions of the rules that reiterate statutory language, and reflect accounting practices presently used by electric utilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2)(c), FS, and concluded that the rule amendment will not have an adverse impact on economic growth, business competitiveness, or small business and that there would likely be transactional cost savings to the individual and entities, including government entities, required to comply with the rule. It is anticipated that investor-owned electric utilities may benefit from the rule updating and clarification efforts.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 350.127(2), 366.05(1), FS

LAW IMPLEMENTED: 350.115, 366.02(2), 366.04(2)(a), (f), 366.05(1), (9), (11), 366.08, 366.093(1), FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela H. Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6214, php@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.014 Records and Reports in General.

(1) Except as modified in subsection (2), ~~e~~Each investor-owned electric utility shall maintain its accounts and records in conformity with the Uniform System of Accounts (USOA) for Public Utilities and Licensees as found in the Code of Federal Regulations, Title 18, Subchapter C, Part 101, for Major Utilities (2013) ~~as revised April 1, 2002~~, which is hereby incorporated by reference into this rule and ~~as modified below.~~ may be accessed at <http://www.flrules.org>[hyperlink address]. All inquiries relating to interpretation of the USOA shall be submitted to

the Commission's Division of Accounting and Finance in writing.

(2) For ratemaking purposes only, each investor-owned electric utility shall accrue unbilled base rate revenues, excluding those base rate revenues recoverable through other cost recovery or adjustment mechanisms.

(3) through (3)(c) No change.

(4) Each utility shall furnish to the Commission at such time and in such form as the Commission may require, the results of any required tests and summaries of any required records. The utility shall also furnish the Commission with any information concerning the utility's facilities or operation which the Commission may request and require for determining rates and judging the practices of the utility. For each utility providing data to the Commission, all such data, unless otherwise specified, shall be consistent with and reconcilable with the utility's Annual Report to the Commission.

(5) Upon direction of the Commission, or in the performance of delegated staff duties, any member of the Commission staff may make at any reasonable time a personal visit to the utility's offices or other places of business, and may inspect any facility, records, accounts, books, reports, and papers of the utility which may appear necessary in the discharge of Commission duties. During such visits authorized by Section 366.08, F.S., the utility shall provide staff members with adequate and comfortable working and filing space, consistent with prevailing conditions and climate and comparable with the accommodations provided to the utility's outside auditors.

(6) The Commission prescribes the Uniform System of Accounts for Public Utilities and Licensees, as found in the Code of Federal Regulations, Title 18, Subchapter C, Part 101, for Major Utilities (2013) as revised April 1, 2002, to be used by Rural Electric Cooperative and Municipal Electric Utilities operating within the State. All inquiries relating to interpretations of the USOA Uniform System of Accounts shall be submitted to the Commission's Division of Accounting and Finance in writing.

Rulemaking Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 350.115, 366.02(2), 366.04(2)(a), (f), 366.05(1), 366.08 FS. History—Amended 7-29-69, 2-4-76, 8-21-79, 1-2-80, 11-18-82, Formerly 25-6.14, Amended 10-1-86, 11-2-87, 7-20-89, 12-27-94, 4-22-96, 3-30-04, _____

25-6.015 Location and Preservation of Records.

(1) through (2)(a) No change.

(b) The reimbursement requirement in subsection (2) shall be waived:

1. For any utility that makes its out-of-state records available at the utility's office located in Florida or at another mutually agreed upon location in Florida within 10 working days from the Commission's initial request. If the utility demonstrates that 10 working days is not reasonable because of the complexity and nature of the issues involved or the volume and type of material requested, the Commission will may establish a different time frame for the utility to bring records into the state. For individual data requests made during an audit, the response time frame in Rule 25-6.0151, F.A.C., shall control; or

2. For a utility whose records are located within 50 miles of the Florida state line.

(3) All records shall be preserved in accordance with the Federal Energy Regulatory Commission's regulations, Title 18, Subchapter C, Part 125, Code of Federal Regulations, entitled "Preservation of Records of Public Utilities and Licensees" (2013) as revised, April 1, 2002, which is hereby incorporated by reference into this rule, with the exception of the records listed in paragraph (3)(a) of this rule: and may be accessed at <http://www.flrules.org>[hyperlink address]. Instead, utilities shall retain records listed in paragraph (3)(a) of this rule for the periods indicated.

(a) No change.

(b) The utility shall not be required to retain original source documents once the documents have been added to a storage and retrieval system that consistently produces clear, readable copies of source documents and the content of the documents is identical to the originals including any handwritten notations on the documents.

~~(b) However, all source documents retained as required by Title 18, Subchapter C, Part 125, Code of Federal Regulations shall be maintained in their original form for a minimum of three years, or for any lesser period of time specified for that type of record in Title 18, Subchapter C, Part 125, Code of Federal Regulations, after the date the document was created or received by the utility. This paragraph does not require the utility to create paper copies of documents where the utility would not otherwise do so in the ordinary course of its business. The Commission will waive the requirement that documents be retained in their original form upon a showing by a utility that it employs a storage and retrieval system that consistently produces clear, readable copies that are substantially equivalent to the originals, and clearly reproduces handwritten notations on documents.~~

(c) The utility shall maintain written procedures governing the conversion of source documents to a storage and retrieval system, which procedures ensure the authenticity of documents and the completeness of records. Records maintained in the storage and retrieval system must be searchable easy to search and readable easy to read.

Rulemaking Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.05(1), (9), (11), 366.08, 366.093(1) FS. History—Amended 7-29-69, 7-19-72, 1-11-76, 9-28-81, 11-18-82, Formerly 25-6.15, Amended 10-1-86, 11-2-87, 6-23-93, 11-13-95, 6-6-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cheryl Bulecza-Banks

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 25, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 40, Number 24, February 5, 2014.

I:\FAR\140124pu.doc



Florida Department of State

FLORIDA ADMINISTRATIVE CODE & FLORIDA ADMINISTRATIVE REGISTER

[Home](#) | [Advanced Search](#) | [MyFLRules](#) | [Rules Open for Comments](#)

[Agency Main Menu](#)
[Manage my profile](#)

You are currently logged in ([Log Out](#))

Notices Submitted to/Confirmed by Administrative Code & Register Staff

[Notices Confirmed by ACR](#)

Notices Submitted to ACR

| ID | Rule No./ Organization | Rule Title | Section | Issue | Date |
|----------------------------|------------------------|---|----------|------------------------|------------|
| 15322719 | 25-7.014,... | Records and Reports in General, Location and Preservation of Records, Capitalization Versus Expensing | Proposed | 11/26/2014 Vol. 40/230 | 11/25/2014 |
| ✓ 15322331 | 25-6.014,... | Records and Reports in General, Location and Preservation of Records | Proposed | 11/26/2014 Vol. 40/230 | 11/25/2014 |

Notices Confirmed by ACR

| ID | Rule No./ Organization | Rule Title | Section | Issue | Date |
|------|------------------------|------------|---------|-------|------|
| None | | | | | |

[Back to Agency Home](#)