

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-**

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**DATE:** November 18, 2015

**TO:** Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk

**FROM:** Clyde D. Rome, Public Utility Analyst II, Division of Economics *CDR*

**RE:** Request to Place Document in Docket File: Docket No. 150241-PU – Proposed amendments to Rules 25-6.093, 25-6.097, 25-6-100, 25-7.079, 25-7.083, 25-7.085, Florida Administrative Code

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Please place the attached document in the subject docket file. The document is Staff's First Data Request; it was sent via email to all investor-owned electric and gas utilities on October 13, 2015, to gather information for the Statement of Estimated Regulatory Costs.

Thank you for your assistance.

cc: Elisabeth Draper

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COMMISSION  
CLERK

## Don Rome

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**From:** Don Rome  
**Sent:** Tuesday, October 13, 2015 9:52 AM  
**To:** 'Adams, Lynne'; robert.pickels@duke-energy.com; wjstiles@tecoenergy.com; henders@southernco.com; mcassel@fpuc.com; aw@macfar.com; KFloyd@tecoenergy.com; 'cbermude@aglresources.com'; 'ewade@aglresources.com'; Keating, Beth (BKeating@gunster.com); mcassel@chpk.com; Martin, Cheryl (Cheryl\_Martin@fpuc.com); Young Curtis (Curtis\_Young@chpk.com); 'sshoaf@stjoenaturalgas.com'; 'dstitt@stjoegas.com'; 'jmelendy@floridasbestgas.com'  
**Cc:** Elisabeth Draper; Pamela H. Page  
**Subject:** DATA REQUEST: Statement of Estimated Regulatory Costs for rule changes to implement changes to Chapter 366, Florida Statutes (F.S.)  
**Attachments:** Staff First Data Request.doc; 09.25 draft 25-6.093.docx; 09.25 draft 25-6.097.docx; 09.25 draft 25-6.100.docx; 09.25 draft 25-7.079.docx; 09.25 draft 25-7.083.docx; 09.25 draft 25-7.085.docx

Hello, everyone. Florida Public Service Commission staff is in the process of preparing a Statement of Estimated Regulatory Costs (SERC) for proposed revisions to Chapter 25-6 (Electric Service by Electric Public Utilities) and Chapter 25-7 (Gas Service by Gas Public Utilities), Florida Administrative Code. Revisions to Commission rules are being proposed to incorporate changes made to Chapter 366, F.S., during the 2015 legislative session. The draft rule amendments shown in legislative format are attached.

When the Commission makes changes to its rules, the agency prepares a SERC pursuant to Section 120.541, F.S. The attached file titled "Staff First Data Request" is offered to solicit your input on whether compliance with the new statutory requirements and the Commission's associated rule changes will result in additional costs to investor-owned electric and gas utilities. Draft rule amendments pertaining to electric utilities are in the files labeled 25-6.093, 25-6.097, and 25-6.100 whereas draft rule amendments pertaining to gas utilities are in the files labeled 25-7.079, 25-7.083, and 25-7.085.

If your utility has a parent company that conducts both electric and gas operations, please provide separate data request responses for the electric and the gas operations. If your utility has a parent company with several natural gas operating entities (divisions/subsidiaries), you have the option of either providing a single response consolidated for all gas operating entities or a separate response for each entity, whichever you prefer.

Please provide responses to the attached data request by **October 23, 2015**. Please direct any questions to Don Rome, Division of Economics, at [drome@psc.state.fl.us](mailto:drome@psc.state.fl.us) or at (850) 413-6495. Thanks and regards,

Don Rome, Public Utility Analyst  
Economics Division – Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850  
(850) 413-6495 FAX: (850) 413-6496  
[drome@psc.state.fl.us](mailto:drome@psc.state.fl.us)



Undocketed  
Amendments to Chapters 25-6 and 25-7, Florida Administrative Code, (F.A.C.)  
Implementation of Changes to Chapter 366, Florida Statutes (F.S.)  
Promulgated via Chapter 2015-129, Laws of Florida (eff. July 1, 2015)

**Staff's First Data Request**

1. Commission Rules 25-6.093 and 25-7.079, F.A.C. (Information to Customers), are being amended to implement paragraph 366.05(1)(d), F.S. In accordance with the statute, if a utility has more than one rate for any customer class, it must notify each customer in that class of the available rates and explain how the rate is charged to the customer. If a customer contacts the utility seeking assistance in selecting the most advantageous rate, the utility must provide good faith assistance to the customer. Please describe your current process for assisting customers for whom multiple rate schedules may be available.
  - a. Please explain whether or not you anticipate that the new statutory customer notification and assistance requirements will result in your company conducting additional customer outreach efforts and/or customer service activities.
  - b. If the answer to a. is affirmative, please describe the additional outreach efforts and/or customer service activities that will be conducted and provide an estimate of the additional (*i.e.*, incremental) costs to your company per year for the next five years.
  
2. Commission Rules 25-6.097 and 25-7.083, F.A.C. (Customer Deposits), are being amended to implement paragraph 366.05(1)(c), F.S. In accordance with the statute, a methodology is prescribed, effective January 1, 2016, that sets a maximum deposit amount that the utility may collect for an existing account or for a new service request. Please describe your current method for calculating customer deposits for new and existing accounts.
  - a. Please explain whether or not you anticipate that the new statutory customer deposit calculation requirements will result in a need by your company to perform any system reprogramming or to make other business process changes to manage the customer deposit function.
  - b. If the answer to a. is affirmative, please describe the changes that will be necessary and provide an estimate of the additional (*i.e.*, incremental) costs to your company per year for the next five years.
  
3. Commission Rules 25-6.100 and 25-7.085, F.A.C. (Customer Billings), are being amended to implement paragraph 366.05(1)(b), F.S. In accordance with the statute, if the Commission authorizes a public utility to charge tiered rates based upon levels of usage and to vary its regular billing period, the utility may not charge a customer a higher rate

because of an increase in usage attributable to an extension of the billing period; however, the regular meter reading date may not be advanced or postponed more than five days for routine operating reasons without prorating the billing for the period.

- a. Please explain whether or not you anticipate that the new statutory customer billing requirements will result in a need by your company to perform any system reprogramming or to make other business process changes to manage the customer billing function.
  - b. If the answer to a. is affirmative, please describe the changes that will be necessary and provide an estimate of the additional (*i.e.*, incremental) costs to your company per year for the next five years.
4. Commission Rule 25-6.100, F.A.C. (Customer Billings), is being amended to implement subsection 366.95(4), F.S. In accordance with the statute, if an electric utility has obtained a financing order and caused nuclear asset-recovery bonds to be issued, the utility's electric bills must: (1) explicitly reflect information explaining the nuclear asset-recovery charge and the ownership of that charge, and (2) show a separate line item titled "Asset Securitization Charge" on each customer's bill that includes both the rate and the amount of the charge.
- a. Do you anticipate that the customer billing requirements pursuant to subsection 366.95(4), F.S., will result in a need by your company to perform any system reprogramming or to make other business process changes to manage the customer billing function?
  - b. If the answer to a. is affirmative, please describe the changes that will be necessary and provide an estimate of the additional (*i.e.*, incremental) costs to your company per year for the next five years.

1 **25-6.093 Information to Customers.**

2 (~~1~~) ~~Each utility shall, upon request of any customer, give such information and assistance as is~~  
3 ~~reasonable, in order that the customer may secure safe and efficient service. Upon the~~  
4 ~~customer's request, the utility shall provide to the any customer information as to the method~~  
5 ~~of reading meters and the derivation of billing therefrom, the billing cycle and approximate~~  
6 ~~date of monthly meter reading.~~

7 (2) Upon request of the any customer, the utility shall ~~is required to~~ provide to the customer a  
8 copy and explanation of the utility's rates and provisions applicable to the type or types of  
9 service furnished or to be furnished such customer, ~~and to assist the customer in obtaining the~~  
10 ~~rate schedule which is most advantageous to the customer's requirements.~~

11 (3)(a) By bill insert or other means agreed to by both the customer and the utility ~~appropriate~~  
12 ~~means of communication~~, the utility shall give to each of its customers the a summary of  
13 ~~major rate schedules that which~~ are available to the class of which that customer is a member,  
14 ~~and~~

15 (b) The utility shall provide the information contained in paragraph (a) to all its customers:

- 16 1. Not later than 60 days after the commencement of service, ~~and~~  
17 2. Not less frequently than once each year, and  
18 3. Not later than 60 days after the utility has received approval of its new rate schedule  
19 applicable to such customer.

20 (c) In this subsection, "rate schedule" shall mean customer charge, energy charge, and demand  
21 charge, as set forth in Rule 25-6.100, F.A.C.

22 (d) By bill insert, or as a message on the customer bill, on a quarterly basis using the utility's  
23 normal billing cycle, each utility shall provide its customers the sources of generation for the  
24 most recent 12-month period available prior to the billing cycle. The sources of generation  
25 shall be stated by fuel type for utility generation and as "purchased power" for off-system

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from existing law.



1 purchases. The sources of generation are to be set forth as kilowatt-hour percentages of the  
2 total utility generation and purchased power.  
3 (4) Upon request of the any customer, but not more frequently than once each calendar year,  
4 the utility shall provide to the customer ~~transmit~~ a concise statement of the actual  
5 consumption of electric energy by that customer for each billing period during the previous 12  
6 months.

7 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.04(2)(f), (6),*  
8 *366.041(1), 366.05(1), (3), 366.06(1) FS. History—New 7-29-69, Amended 11-26-80, 6-28-82,*  
9 *10-15-84, Formerly 25-6.93, Amended 4-18-99, \_\_\_\_\_.*

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1 **25-6.097 Customer Deposits.**

2 (1) ~~Deposit required; establishment of credit.~~ Each company's tariff shall state the  
3 methodology ~~contain their specific criteria~~ for determining the amount of the initial deposit  
4 charged for existing accounts and new service requests. The methodology shall conform to  
5 paragraph 366.05(1)(c), F.S. ~~Each utility may require an applicant for service to satisfactorily~~  
6 ~~establish credit, but such establishment of credit shall not relieve the customer from~~  
7 ~~complying with the utilities' rules for prompt payment of bills. Credit will be deemed so~~  
8 ~~established if:~~

9 (2) Each utility may require an applicant for service to satisfactorily establish credit, but such  
10 establishment of credit shall not relieve the customer from complying with the utilities' rules  
11 for payment of bills. Credit will be deemed so established if:

12 (a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for  
13 the service requested. For residential customers, a satisfactory guarantor shall, at the  
14 minimum, be a customer of the utility with a satisfactory payment record. For non-residential  
15 customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall  
16 develop minimum financial criteria that a proposed guarantor must meet to qualify as a  
17 satisfactory guarantor. A copy of the criteria shall be made available to each new non-  
18 residential customer upon request by the customer. A guarantor's liability shall be terminated  
19 when a residential customer whose payment of bills is secured by the guarantor meets the  
20 requirements of subsection ~~(32)~~ of this rule. Guarantors providing security for payment of  
21 residential customers' bills shall only be liable for bills contracted at the service address  
22 contained in the contract of guaranty.

23 (b) The applicant pays a cash deposit.

24 (c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety  
25 bond.

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1 (32) Refund of deposits. After a customer has established a satisfactory payment record and  
2 has had continuous service for a period of 23 months, the utility shall refund the residential  
3 customer's deposits and shall, at the utility's ~~its~~ option, either refund or pay the higher rate of  
4 interest specified below for nonresidential deposits, providing the customer has not, in the  
5 preceding 12 months:-

6 (a) Made more than one late payment of a bill (after the expiration of 20 days from the date of  
7 mailing or delivery by the utility).

8 (b) Paid with a check refused by a bank.

9 (c) Been disconnected for nonpayment, or at any time.

10 (d) Tampered with the electric meter, or

11 (e) Used service in a fraudulent or unauthorized manner.

12 (43) Deposits for existing accounts ~~New or additional deposits~~. A utility may charge ~~require~~,  
13 upon ~~reasonable~~ written notice to the customer of not less than thirty (30) days, a ~~new deposit,~~  
14 ~~where previously waived or returned, or additional deposit on an existing account,~~ in order to  
15 secure payment of ~~current~~ bills. Such request for a deposit shall be separate and apart from any  
16 bill for service and shall explain the reason for the ~~such new or additional deposit,~~ ~~provided,~~  
17 ~~however, that the total amount of the required deposit shall not exceed an amount equal to~~  
18 ~~twice the average charges for actual usage of electric service for the twelve month period~~  
19 ~~immediately prior to the date of notice. In the event the customer has had service less than~~  
20 ~~twelve months, then the utility shall base its new or additional deposit upon the average actual~~  
21 ~~monthly usage available. The deposit charged must conform to the requirements of Section~~  
22 366.05(1)(c)1., F.S.

23 (54) Interest on deposits.

24 (a) Each electric utility which requires deposits to be made by its customers shall pay a  
25 minimum interest on such deposits of 2 percent per annum. The utility shall pay an interest

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1 rate of 3 percent per annum on deposits of nonresidential customers qualifying under  
2 subsection (32) when the utility elects not to refund such deposit after 23 months. Such  
3 interest rates shall be applied within 45 days of the effective date of the rule.

4 (b) The deposit interest shall be simple interest in all cases and settlement shall be made  
5 annually, either in cash or by credit on the current bill. This does not prohibit any utility  
6 paying a higher rate of interest than required by this rule. No customer depositor shall be  
7 entitled to receive interest on a his deposit until and unless a customer relationship and the  
8 deposit have been in existence for a continuous period of six months, then the customer he  
9 shall be entitled to receive interest from the day of the commencement of the customer  
10 relationship and the placement of deposit. Nothing in this rule shall prohibit a utility from  
11 refunding at any time a deposit with any accrued interest.

12 (65) Record of deposits. Each utility ~~having on hand deposits from a customer or hereafter~~  
13 ~~receiving deposits from them~~ shall keep records to show:

14 (a) The name of each customer making the deposit;

15 (b) The premises for which the deposit applies ~~occupied by the customer~~;

16 (c) The date and amount of deposit; and

17 (d) Each transaction concerning the deposits such as interest payments, interest credited or  
18 similar transactions.

19 (76) Receipt for deposit. The utility shall provide a receipt to the customer for any deposit  
20 received from the customer ~~A non-transferable certificate of deposit shall be issued to each~~  
21 ~~customer and means provided so that the customer may claim the deposit if the certificate is~~  
22 ~~lost. Where a new or additional deposit is required under subsection (3) of this rule, a~~  
23 ~~customer's cancelled check or validated bill coupon may serve as a deposit receipt.~~

24 (87) Refund of deposit when service is discontinued. Upon termination of service, the deposit  
25 and accrued interest may be credited against the final account and the balance, if any, shall be

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1 returned promptly to the customer but in no event later than fifteen (15) days after service is  
2 discontinued.

3 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.041(1),*  
4 *366.05(1), 366.06(1) FS. History—New 7-29-69, Amended 5-9-76, 7-8-79, 6-10-80, 10-17-83,*  
5 *1-31-84, Formerly 25-6.97, Amended 10-13-88, 4-25-94, 3-14-99, 7-26-12, \_\_\_\_\_.*

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1 **25-6.100 Customer Billings.**

2 (1) Bills shall be rendered monthly and as promptly as possible following the reading of  
3 meters.

4 (2) ~~By January 1, 1983,~~ Eeach customer's bill shall show at least the following information:

5 (a) The meter reading and the date the meter is read, in addition to the meter reading for the  
6 previous period. If the meter reading is estimated, the word "estimated" shall be prominently  
7 displayed on the bill.

8 (b)1. Kilowatt-hours (KWH) consumed including on and off peak if customer is time-of-day  
9 metered.

10 2. Kilowatt (KW) demand, if applicable, including on and off peak if customer is time-of-day  
11 metered.

12 (c) The dollar amount of the bill, including separately:

13 1. Customer charge.

14 2. Energy (KWH) charge, exclusive of fuel, in cents per KWH, including amounts for on and  
15 off peak if the customer is time-of-day metered, and energy conservation costs.

16 3. Demand (KW) charge, exclusive of fuel, in dollar cost per KW, if applicable, including  
17 amounts for on and off peak if the customer is time-of-day metered.

18 4. Fuel cost in cents per KWH (no fuel costs shall be included in the base charge for demand  
19 or energy).

20 5. Total electric cost which is the sum of the customer charge, total fuel cost, total energy cost,  
21 and total demand cost.

22 6. Franchise fees, if applicable.

23 7. Taxes, as applicable on purchases of electricity by the customer.

24 8. Any discount or penalty, if applicable.

25 9. Past due balances shown separately.

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- 1 | 10. The gross and net billing, if applicable.
- 2 | 11. The rate and amount of the “Asset Securitization Charge,” pursuant to paragraph
- 3 | 366.95(4)(b), F.S., if applicable.
- 4 | (d) Identification of the applicable rate schedule.
- 5 | (e) The date by which payment must be made in order to benefit from any discount or avoid
- 6 | any penalty, if applicable.
- 7 | (f) The average daily KWH consumption for the current period and for the same period in the
- 8 | previous year, for the same customer at the same location.
- 9 | (g) The delinquent date or the date after which the bill becomes past due.
- 10 | (h) Any conversion factors which can be used by customers to convert from meter reading
- 11 | units to billing units. Where metering complexity makes this requirement impractical, a
- 12 | statement must be on the bill advising that such information may be obtained by contacting the
- 13 | utility’s local business office.
- 14 | (i) Where budget billing is used, ~~the bill shall contain~~ the current month’s consumption and
- 15 | charges separately from budgeted amounts.
- 16 | (j) If applicable, the information required by subsection 366.8260(4), F.S., and subsection
- 17 | 366.95(4), F.S.
- 18 | ~~(k)~~ (j) The name and address of the utility and ~~plus~~ the toll-free number(s) where customers can
- 19 | receive information about their bill as well as locations where the customers can pay their
- 20 | utility bill. Such information must identify those locations where no surcharge is incurred.
- 21 | (3) When there is sufficient cause, estimated bills may be submitted provided that with the
- 22 | third consecutive estimated bill the company shall contact the customer explaining the reason
- 23 | for the estimated billing and who to contact in order to obtain an actual meter reading. An
- 24 | actual meter reading must be taken at least once every six months. If an estimated bill appears
- 25 | to be abnormal when a subsequent reading is obtained, the bill for the entire period shall be

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1 | computed at a rate which contemplates the use of service during the entire period and the  
2 | estimated bill shall be deducted. If there is reasonable evidence that such use occurred during  
3 | only one billing period, the bill shall be computed.

4 | ~~(4) The regular meter reading date may be advanced or postponed not more than five days~~  
5 | ~~without a pro-ration of the billing for the period.~~

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

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

13 | (67) Franchise Fees.

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

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

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

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

24 | *Rulemaking Authority 366.05(1), 366.04(2) FS. Law Implemented 366.03, 366.04(2),*  
25 | *366.041(1), 366.05(1), 366.051, 366.06(1), 366.8260(4), 366.95(4) FS. History—New 2-25-76,*

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1 | Amended 4-13-80, 12-29-81, 6-28-82, 5-16-83, 2-4-13, \_\_\_\_\_.  
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1 **25-7.079 Information to Customers.**

2 (1) ~~Each utility shall, upon request, give its customers such information and assistance as is~~  
3 ~~reasonable, in order that the customer may secure safe and efficient service.~~ The utility shall,  
4 when requested by the customer, provide to the any customer information as to the method of  
5 reading meters and derivation of billing therefrom.

6 (2) Upon request of the any customer, ~~it shall be the duty of the utility shall~~ to provide to the  
7 customer; a copy and/or explanation of the utility's rates applicable to the type or types of  
8 service furnished or to be furnished to the such customer, ~~and to assist him in obtaining the~~  
9 ~~rate which is most advantageous for the customer's his~~ service requirements.

10 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.03, 366.05(1), 366.06 FS.*

11 *History—New 1-8-75, Repromulgated 5-4-75, Formerly 25-7.79, Amended \_\_\_\_\_.*

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1 **25-7.083 Customer Deposits**

2 (1) ~~Deposit required; establishment of credit.~~ Each company's tariff shall state the  
3 methodology contain their specific criteria for determining the amount of the initial deposit  
4 charged for existing accounts and new service requests. The methodology shall conform to  
5 Section 366.05(1)(c), F.S. ~~Each utility may require an applicant for service to satisfactorily~~  
6 ~~establish credit, but such establishment of credit shall not relieve the customer from~~  
7 ~~complying with the utilities' rules for prompt payment of bills. Credit will be deemed so~~  
8 ~~established if:~~

9 (2) Each utility may require an applicant for service to satisfactorily establish credit, but such  
10 establishment of credit shall not relieve the customer from complying with the utilities' rules  
11 for payment of bills. Credit will be deemed so established if:

12 (a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for  
13 the service requested. For residential customers, a satisfactory guarantor shall, at the  
14 minimum, be a customer of the utility with a satisfactory payment record. For non-residential  
15 customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall  
16 develop minimum financial criteria that a proposed guarantor must meet to qualify as a  
17 satisfactory guarantor. A copy of the criteria shall be made available to each new non-  
18 residential customer upon request by the customer. A guarantor's liability shall be terminated  
19 when a residential customer whose payment of bills is secured by the guarantor meets the  
20 requirements of subsection ~~(76)~~ of this rule. Guarantors providing security for payment of  
21 residential customers' bills shall only be liable for bills contracted at the service address  
22 contained in the contract of guaranty.

23 (b) The applicant pays a cash deposit.

24 (c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety  
25 bond.

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- 1 | (32) Receipt for deposit. The utility shall provide a receipt to the customer for any deposit  
2 | received from the customer. A non-transferable certificate of deposit shall be issued to each  
3 | customer and means provided so that the customer may claim the deposit if the certificate is  
4 | lost. When a new or additional deposit is required under subsection (3) of this rule a  
5 | customer's cancelled check or validated bill coupon may serve as a deposit receipt.
- 6 | (43) Deposits for existing accounts New or additional deposits. A utility may charge require,  
7 | upon reasonable written notice to the customer of not less than 30 days, such request or notice  
8 | being separate and apart from any bill for service, a new deposit, where previously waived or  
9 | returned, or an additional a deposit on an existing account, in order to secure payment of  
10 | current bills; provided, however, that the total amount of the required deposit shall not exceed  
11 | an amount equal to the average actual charges for gas service for two billing periods for the  
12 | 12-month period immediately prior to the date of notice. In the event the customer has had  
13 | service less than 12 months, then the utility shall base its new or additional deposit upon the  
14 | average actual monthly billing available. Such request for a deposit shall be separate and apart  
15 | from any bill for service and shall explain the reason for the deposit. The deposit charged must  
16 | conform to the requirements of Section 366.05(1)(c)1., F.S.
- 17 | (54) Record of deposit. Each utility having on hand deposits from customers or hereafter  
18 | receiving deposits from them shall keep records to show:
- 19 | (a) The name of each customer making the deposit;
  - 20 | (b) The premises for which the deposit applies ~~occupied by the customer~~;
  - 21 | (c) The date and amount of deposit; and
  - 22 | (d) Each transaction concerning the deposit such as interest payments, interest credited or
  - 23 | similar transactions.
- 24 | (65) Interest on deposits.
- 25 | (a) Each gas utility which requests deposits to be made by its customers shall pay a minimum

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1 interest on such deposits of 2 percent per annum. The utility shall pay a minimum interest rate  
2 of 3 percent per annum on deposits of nonresidential customers qualifying under subsection  
3 ~~(76)~~ below when the utility elects not to refund such a deposit after 23 months. ~~Such interest~~  
4 ~~rates shall be applied within 45 days of the effective date of the rule.~~

5 (b) The deposit interest shall be simple interest in all cases and settlement shall be made  
6 annually, either in cash or by credit on the current bill. This does not prohibit any utility  
7 paying a higher rate of interest than required by this rule. No customer depositor shall be  
8 entitled to receive interest on a his deposit until and unless a customer relationship and the  
9 deposit have been in existence for a continuous period of six months, then the customer he  
10 shall be entitled to receive interest from the day of the commencement of the customer  
11 relationship and the placement of deposit. Nothing in this rule shall prohibit a utility from  
12 refunding at any time a deposit with any accrued interest.

13 (76) Refund of deposit. After a customer has established a satisfactory payment record and has  
14 had continuous service for a period of 23 months, the utility shall refund the residential  
15 customer's deposits and shall, at the utility's ~~its~~ option, either refund or pay the higher rate of  
16 interest specified above for nonresidential deposits, provided the customer has not, in the  
17 preceding 12 months:

18 (a) Made more than one late payment of a bill (after the expiration of 20 days from the date of  
19 mailing or delivery by the utility);

20 (b) Paid with check refused by a bank;

21 (c) Been disconnected for nonpayment, or at any time;

22 (d) Tampered with the gas meter; or

23 (e) Used service in a fraudulent or unauthorized manner. ~~Nothing in this rule shall prohibit the~~  
24 ~~company from refunding at any time a deposit with any accrued interest.~~

25 (87) Refund of deposit when service is disconnected. Upon termination of service, the deposit

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from existing law.

1 and accrued interest may be credited against the final account and the balance, if any, shall be  
2 returned promptly to the customer but in no event later than fifteen (15) days after service is  
3 discontinued.

4 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.05(1) FS.*

5 *History—New 1-8-75, Amended 6-15-76, 6-10-80, 1-31-84, Formerly 25-7.83, Amended 10-13-*  
6 *88, 4-25-94, 3-14-99, 7-26-12, \_\_\_\_\_.*

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1 **25-7.085 Customer Billing.**

2 (1) Bills shall be rendered monthly. With the exception of a duplicate bill, each customer's bill  
3 shall show at least the following information:

4 (a) The meter reading and the date the meter was read plus the meter reading for the previous  
5 period. When an electronic meter is used, the gas volume consumed for the billing month may  
6 be shown. If the gas consumption is estimated, the word "estimated" shall prominently appear  
7 on the bill.

8 (b) Therms and cubic feet consumed.

9 (c) The total dollar amount of the bill, indicating separately:

10 1. Customer charge.

11 2. Energy (therm) charge exclusive of fuel cost in cents per therm.

12 3. Fuel cost in cents per therm (no fuel costs shall be included in the charge for energy).

13 4. Total gas cost which is the sum of the customer charge, total fuel cost and total energy cost.

14 5. Franchise fees, if applicable.

15 6. Taxes, as applicable on purchases of gas by the customer.

16 7. Any discount or penalty, if applicable.

17 8. Past due balances.

18 9. The gross and net billing, if applicable.

19 (d) Identification of the applicable rate schedule.

20 (e) The date by which payment must be made in order to benefit from any discount or avoid  
21 any penalty, if applicable.

22 (f) The average daily therm consumption for the current period and for the same period in the  
23 previous year, for the same customer at the same location.

24 (g) The delinquent date or the date after which the bill becomes past due.

25 (h) Any conversion factors which can be used by customers to convert from meter reading

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from existing law.



- 1 units to billing units.
- 2 (i) Where budget billing is used, the bill shall contain the current month's consumption and  
3 charges separately from budgeted amounts.
- 4 (j) The name of the utility plus the address and telephone number of the local office where the  
5 bill can be paid and questions concerning the bill can be answered.
- 6 (2) All gas utilities shall charge for gas service on a thermal basis instead of on a volume  
7 basis. The provisions governing customer billing on a thermal basis shall be as follows:
- 8 (a) The unit of service shall be the "Therm."
- 9 (b) The number of therms which shall have been taken by consumer during a given period  
10 shall be determined by multiplying the difference in the meter readings in cubic feet at the  
11 beginning and end of the period by the conversion factors in paragraph (1)(h) including a  
12 heating-value factor which has been determined as prescribed in paragraph (c) below.
- 13 (c) The heating-value factor for gas utilities receiving and distributing natural gas shall be the  
14 average thermal value of the natural gas received and distributed during the preceding month.  
15 In case the average heating value during the calendar month has been below the standard, then  
16 the value to be used in determining the factor shall be the heating value standard minus a  
17 deduction of one percent (1%) for each one percent (1%) or fraction thereof that the average  
18 heating value has been below the standard.
- 19 (d) The consumer shall be billed to the nearest one-tenth of a therm.
- 20 (3) Whenever the period of service for which an initial or opening bill would be rendered is  
21 less than the normal billing period, no bill for that period need be rendered if the volume  
22 amount consumed is carried over and included in the next regular monthly billing. If,  
23 however, a bill for such period is rendered, the applicable charges, including minimum  
24 charges, shall be prorated.
- 25 (4) When there is sufficient cause, estimated billings may be used by a utility provided that

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1 with the customer's third consecutive estimated billing the customer is informed of the reason  
2 for the estimation and whom to contact to obtain an actual meter reading if one is desired. An  
3 actual meter reading must be taken at least once every six months. If an estimated bill appears  
4 to be abnormal once an actual meter reading is obtained, the bill for the entire estimation  
5 period shall be computed at a rate based on use of service during the entire period and the  
6 estimated bill shall be deducted. If there is substantial evidence that such use occurred during  
7 only one billing period, the bill shall be computed.

8 ~~(5) Regular meter reading dates may be advanced or postponed not more than five days~~  
9 ~~without a proration of the billing for the period.~~

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

12 (67) Franchise Fees.

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

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

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

21 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.05(1), 366.06(1) FS. History—New*  
22 *12-15-73, Repromulgated 1-8-75, Amended 5-4-75, 11-21-82, 12-26-82, Formerly 25-7.85,*  
23 *Amended 10-10-95, 7-3-96, \_\_\_\_\_.*

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