

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: August 29, 2018
TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk
FROM: Samantha Cibula, Office of the General Counsel *S.M.C.*
RE: Docket No. 20030970-EI

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

Thank you.

Attachment

RECEIVED-FPSC
2018 AUG 29 AM 8:05
COMMISSION
CLERK

STATE OF FLORIDA

COMMISSIONERS:
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J. TERRY DEASON
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RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON



GENERAL COUNSEL
RICHARD D. MELSON
(850) 413-6248

Public Service Commission

January 27, 2004

Mr. John Rosner
Chief Attorney
Joint Administrative Procedures Committee
Room 120, Holland Building
Tallahassee, Florida 32399-1300

RE: Public Service Commission Rule Chapter 25-6

Dear Mr. Rosner:

I am in receipt of your letter dated January 20, 2004, in which you provided comments to Commission Rules 25-6.015(3)(b) and 25-6.1351(5). The following is my response to your comments.

Your first comment pertains to Rule 25-6.015(3)(b). Specifically, you state that there are no standards or criteria setting forth the circumstances under which the waiver will be approved. As criteria for Commission approval under Rule 25-6.015(3)(b) of a request that documents be retained in other than their original form, the utility must show that it has 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.

Your second comment pertains to Rule 25-6.1351(5). The rule states that Form PSC/ECR/101 is incorporated by reference "into this rule." You pointed out that the form is actually incorporated into Rule 25-6.135. This rule will be clarified to read:

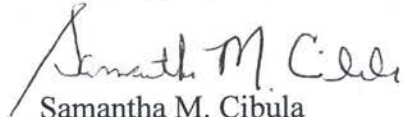
(5) Reporting Requirements. Each utility shall file information concerning its affiliates, affiliate transactions, and nonregulated activities on Form PSC/ECR/101 (/) (12/00) which is incorporated by reference into Rule 25-6.135 ~~this rule~~. Form PSC/ECR/101, . . .

As this appears to be only a technical change, I will not be filing a Notice of Change for this clarification.

Mr. John Rosner
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January 27, 2004

I hope this letter satisfactorily responds to your concerns. I plan to file the rules for adoption with the Secretary of State on February 3, 2004.

Sincerely,


Samantha M. Cibula
Senior Attorney

STATE OF FLORIDA

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
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LILA A. JABER
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Public Service Commission

March 4, 2004

Mr. John Rosner
Chief Attorney
Joint Administrative Procedures Committee
Room 120, Holland Building
Tallahassee, Florida 32399-1300

RE: Public Service Commission Rules 25-6.014, 25-6.015, 25-6.135, and 25-6.1351, F.A.C.

Dear Mr. Rosner:

I am writing in response to your letter dated February 2, 2004, in which you provided further comment on Commission Rule 25-6.015(3)(b). Specifically, you commented that the use of the word "may" in the rule makes it objectionable and that a notice of change should be published to correct the rule.

The Commission is scheduled to consider your comments on Rule 25-6.015 at its April 6, 2004, agenda conference. Notice of the hearing is scheduled to appear in the March 12, 2004, Florida Administrative Weekly. I will be recommending to the Commission that the language of Rule 25-6.015(3)(b) be changed to state:

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.

I would greatly appreciate it if you would let me know by March 10, 2004, if you have any objections to this revised rule language. It is my understanding that the time for filing Rule 25-6.015 with the Secretary of State will be tolled until the Commission has the opportunity to address the concerns raised in your letters. Also, for your information, I will be filing Rules 25-6.014, 25-6.135 and 25-6.1351, F.A.C., which were included in the rulemaking with Rule 25-6.015, with the Secretary of State on March 10, 2004.

Sincerely,

Handwritten signature of Samantha M. Cibula.
Samantha M. Cibula