

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: July 17, 2019
TO: Adam Teitzman, Commission Clerk, Office of Commission Clerk
FROM: Adria Harper, Office of the General Counsel *act*
RE: Docket No. 20190074-PU

Please file the attached rule certification packet materials for Rules 25-4.0051, 25-4.520 and 25-22.108, F.A.C., in the docket file listed above.

Thank you.

Attachment

RECEIVED-FPSC
2019 JUL 17 PM 1:28
COMMISSION
CLERK

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
JULIE I. BROWN
DONALD J. POLMANN
GARY F. CLARK
ANDREW GILES FAY

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
KEITH C. HETRICK
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

July 17, 2019

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
2019 JUL 17 AM 11:11
FILED

VIA HAND DELIVERY

Mr. Ernest Reddick
Florida Department of State
Administrative Code and Register Section
Room 701, the Capitol
Tallahassee, FL 32399-0250

Re: Docket No. 20190074-PU, Rule Certification Packet for the repeal of Rules 25-4.0051, F.A.C., Current Certificate Holder Information, and Rule 25-4.520, F.A.C., Reporting Requirements

Dear Mr. Reddick:

Enclosed for filing is a complete rule certification packet for the repeal of Rules 25-4.0051, and 25-4.520, 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 signed designation of minor violation rule certification form required by Rule 1-1.010, F.A.C.;
- (5) One original and two copies of the coded text of the rules, including the legal citations and history notes;
- (6) One original and two copies of the summary of the rules;
- (7) One original and two copies of the detailed written statement of the facts and circumstances justifying the rules; and
- (8) One original and two copies of the summary of the hearings held on the rules.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Adria Harper", with a long, sweeping horizontal stroke at the end.

Adria E. Harper
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.

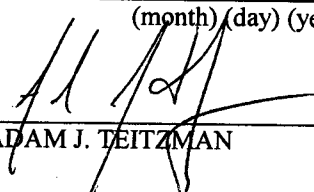
Rule Nos.

25-4.0051

25-4.520

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)



ADAM J. TEITZMAN

Commission Clerk

Title

Number of Pages Certified

**DESIGNATION OF RULE THE VIOLATION OF WHICH IS A MINOR VIOLATION
CERTIFICATION**

Pursuant to Section 120.695(2)(c)3, Florida Statutes, I certify as agency head, as defined by section 20.05(1)(b), Florida Statutes, that:

All rules covered by this certification are not rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.

The following parts of the rules covered by this certification have been designated as rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.:

Rule No(s).

Rules covered by this certification:

Rule No(s).

25-4.0051

25-4.520



Signature of Agency Head

Chairman, Florida Public Service Commission
Title

25-4.0051 Current Certificate Holder Information.

Each company shall file updated information for the following items with the Office of the Commission Clerk within 10 days after any changes to the following:

(1) The address of the certificate holder's main corporate and Florida offices (if any) including street name and address and post office box, city, state and zip code; or

(2) Telephone number, name, and address of the individual who is to serve as primary liaison with the Commission in regard to the ongoing Florida operations of the certificated company.

Rulemaking Authority 350.127(2), 427.704(8) FS. Law Implemented 364.016, 364.183, 364.336, 364.3375 FS.

History—New 2-4-13, Repealed.

25-4.0051 Current Certificate Holder Information.

Rulemaking Authority 350.127(2), 427.704(8) FS. Law Implemented 364.016, 364.183, 364.336, 364.3375 FS.

History—New 2-4-13, Repealed.

25-4.520 Reporting Requirements.

Each pay telephone service company shall file with the Commission's Office of the Commission Clerk updated information for the following items within ten days after a change occurs:

(1) The street address of the certificate holder including number, street name, city, state and zip code, and the mailing address if it differs from the street address.

(2) Name, title, and phone number of the individual responsible for contact with the Commission.

Rulemaking Authority 350.127(2) FS. Law Implemented 350.115, 350.117, 364.17, 364.18, 364.185, 364.3375 FS.

History—New 1-5-87, Amended 1-2-91, 12-29-91, 2-1-99, Formerly 25-24.520. Repealed.

25-4.520 Reporting Requirements.

Rulemaking Authority 350.127(2) FS. Law Implemented 350.115, 350.117, 364.17, 364.18, 364.185, 364.3375 FS.

History—New 1-5-87, Amended 1-2-91, 12-29-91, 2-1-99, Formerly 25-24.520. Repealed.

SUMMARY OF THE RULE

Rules 25-4.0051 and 25-4.520, F.A.C., require certificate holding telecommunications and pay telephone service companies to update their contact information with the Commission.

WRITTEN STATEMENT OF THE FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Because Rules 25-4.0051 and 25-4.520, F.A.C., are limited to telecommunications and pay telephone service companies only, these rules are unnecessary and are repealed and replaced by Rule 25-22.108, F.A.C.

SUMMARY OF ANY HEARINGS HELD ON THE RULE

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

COMMISSIONERS:
ART GRAHAM, CHAIRMAN
JULIE I. BROWN
DONALD J. POLMANN
GARY F. CLARK
ANDREW GILES FAY

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL
KEITH C. HETRICK
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

July 17, 2019

2019 JUL 17 AM 11:27
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
FILED

Mr. Ernest Reddick
Florida Department of State
Administrative Code and Register Section
Room 701, the Capitol
Tallahassee, FL 32399-0250

VIA HAND DELIVERY

Re: Docket No. 20190074-PU, Rule Certification Packet for Rule 25-22.108, F.A.C., Change of Regulated Utility Contact Information.

Dear Mr. Reddick:

Enclosed for filing is a complete rule certification packet for Rule 25-22.108, F.A.C., consisting of:

- (1) One compact disc containing the coded text of the rule;
- (2) One original and two copies of the e-mail approval confirmation with the certification form required by Rule 1-1.013, F.A.C., for the materials incorporated by reference that were filed electronically.
- (3) One original and two copies of the signed rule certification form;
- (4) One original and two copies of the signed designation of minor violation rule certification form required by Rule 1-1.010, F.A.C.;
- (5) One original and two copies of the coded text of the rule, including the legal citations and history notes;
- (6) One original and two copies of the summary of the rule;
- (7) One original and two copies of the detailed written statement of the facts and circumstances justifying the rule; and
- (8) One original and two copies of the summary of the hearings held on the rule.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Adria E. Harper', with a long, sweeping flourish extending to the right.

Adria E. Harper
Senior Attorney

Enclosures

Julie Phillips

From: FL-Rules@dos.state.fl.us
Sent: Friday, July 12, 2019 10:03 AM
To: Julie Phillips
Cc: firules@dos.state.fl.us
Subject: 25-22.108 Reference Material for Rule Adoption Approved

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-22.108

Reference Number: Ref-10888; Reference Name: PSC 1024 (6/19)

Click [here](#) to log in.

Administrative Code and Register Staff
Florida Department of State

CERTIFICATION OF MATERIALS INCORPORATED

BY REFERENCE IN RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify pursuant to Rule 1-1.013, Florida Administrative Code:

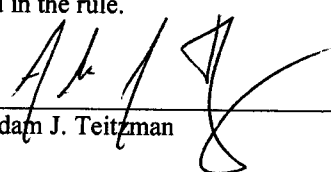
(1) That materials incorporated by reference in Rule 25-22.108, F.A.C. have been electronically filed with the Department of State.

(2) That because there would be a violation of federal copyright laws if the submitting agency filed the incorporated materials described below electronically, a true and complete paper copy of the incorporated materials are attached to this certification for filing. Paper copies of the incorporated materials below may be obtained at the agency by [include address(es)/location(s)].

List form number(s) and form title(s), or title of document(s) below:

PSC 1024 (6/19)

Under the provisions of Section 120.54(3)(e)6., F. S., the attached material(s) take effect 20 days from the date filed with the Department of State, or a later date as specified in the rule.



Adam J. Teitzman

Commission Clerk

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.

25-22.108

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)



ADAM J. TEITZMAN

Commission Clerk

Title

Number of Pages Certified

**DESIGNATION OF RULE THE VIOLATION OF WHICH IS A MINOR VIOLATION
CERTIFICATION**

Pursuant to Section 120.695(2)(c)3, Florida Statutes, I certify as agency head, as defined by section 20.05(1)(b), Florida Statutes, that:

All rules covered by this certification are not rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.

The following parts of the rules covered by this certification have been designated as rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.:

Rule No(s).

25-22.108

Rules covered by this certification:

Rule No(s).

25-22.108



Signature of Agency Head

Chairman, Florida Public Service Commission

Title

25-22.108 Change of Regulated Utility Contact Information

(1) Within 30 days of being regulated by the Florida Public Service Commission as defined by Section 350.111, Florida Statutes, a utility shall submit its contact information to the Office of the Commission Clerk using Form PSC 1024 (6/19) "Change of Regulated Utility Contact Information" except when all current information was submitted in the utility's application form. Form PSC 1024 (6/19) "Change of Regulated Utility Contact Information," is incorporated by reference in this rule and is available at the Department of State website at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10888> and at the Commission's website at <http://www.floridapsc.com/ClerkOffice/ChangeOfCompanyInfo>.

(2) If a utility makes any changes to the information listed in the form, the utility must submit an updated Form PSC 1024 (6/19) to the Office of the Commission Clerk that shows all changes within 30 days of the changes.

Rulemaking Authority 350.127(2), 364.183, 366.05, 367.121, 368.05, 427.704(8), FS.

Law Implemented, 364.183, 366.05, 367.121, 368.05, 368.108, 427.704, FS. History—New

SUMMARY OF THE RULE

The adoption of new Rule 25-22.108, F.A.C., Change of Regulated Utility Information, codifies current practice requiring each utility to submit its contact information to the Office of the Commission Clerk, using the form entitled Form PSC 1024 (6/19) "Change of Regulated Utility Contact Information," which is provided on the Commission's website, within 30 days of being regulated by the Commission. Likewise, the rule requires that any utility that updates its contact information must submit the updated contact information to the Office of the Commission Clerk within 30 days of the changes.

WRITTEN STATEMENT OF THE FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Rule 25-22.108, F.A.C., codifies Commission practice that requires utilities to update their contact information with the Commission. Rule 25-22.108, F.A.C., requires all utilities, to update their contact information in a timely manner by using Form PSC 1024 (6/19) "Change of Regulated Utility Contact Information." A link to Form PSC 1024 is contained in Subsection (1) of Rule 25-22.108, F.A.C. The link directs utilities to Form PSC 1024 on the Commission's website so that utilities can submit updated contact information electronically to the Office of the Commission Clerk.

SUMMARY OF ANY HEARINGS HELD ON THE RULE

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