

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL INTERESTED PERSONS

UNDOCKETED

IN RE: PROPOSED AMENDMENT OF RULE 25-30.335, CUSTOMER BILLING

ISSUED: January 8, 2020

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to amend Rule 25-30.335, Florida Administrative Code. The purpose of this rulemaking is to update the rule to include guidance regarding the applicability of charges during a customer's absence.

The attached Notice of Development of Rulemaking appeared in the January 8, 2020 edition of the Florida Administrative Register, which is Volume 46, Number 5. If requested in writing and not deemed unnecessary by the agency head, a rule development workshop will be scheduled and noticed in the next available Florida Administrative Register. Written requests for a rule development workshop must be submitted to Andrew King, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, aking@psc.state.fl.us by January 24, 2020. A copy of the preliminary draft of the rule is attached.

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By DIRECTION of the Florida Public Service Commission this 8th day of January, 2020.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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Notice of Development of Rulemaking

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE
25-30.335 Customer Billing

PURPOSE AND EFFECT: To update the rule to include guidance regarding the applicability of charges during a customer's absence.

SUBJECT AREA TO BE ADDRESSED: This rule addresses customer billing practices for water and wastewater utilities.

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RULEMAKING AUTHORITY: 350.127(2), 367.121(1)(a) FS.

LAW IMPLEMENTED: 367.091(4), 367.121(1)(a) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Andrew King, Senior Attorney, Office of the General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6195, aking@psc.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

1 **25-30.335 Customer Billing.**

2 (1) Except as provided in this rule, a utility must ~~shall~~ render bills to customers at regular
3 intervals, and each bill must ~~shall~~ indicate: the billing period covered; ~~the applicable rate~~
4 ~~schedule~~; beginning and ending meter reading; the amount of the bill; the delinquent date or
5 the date after which the bill becomes past due; and any authorized late payment charge.

6 (2) When a utility is unable to obtain an actual meter read, estimated bills may be
7 provided.

8 (a) If the utility estimates a bill, ~~the bill statement shall prominently show~~ the word
9 “Estimated” must be prominently displayed on the face of the bill.

10 (b) The utility is obligated to timely correct any problems within the utility’s control
11 causing the need to estimate bills. In no event may ~~shall~~ a utility provide an estimated bill to
12 any one customer account more than 4 ~~four~~ times in any 12-month period due to
13 circumstances that are within the utility’s control and service obligations.

14 (c) Upon issuance of a second estimated bill in a 6-month period, the utility must ~~shall~~
15 provide the customer with an explicit written explanation for the estimation, along with the
16 utility contact information and the Commission toll-free complaint number, 1(800) 342-3552.

17 (d) The utility must ~~shall~~ maintain records, for a minimum of two years, detailing the
18 number, frequency, and causes of estimated bills, and those records must ~~which shall~~ be made
19 available upon request to the Commission or to any party to a rate proceeding for the utility.

20 (3) When service is rendered for less than 50 percent of the normal billing cycle, the utility
21 must ~~shall~~ prorate the base facility charges, flat rates, or rates that include minimum usage as
22 though the normal billing cycle were 30 days, ~~except that~~ The utility may elect ~~not to~~ not
23 issue an initial bill ~~for service~~ if the service is rendered for ~~during~~ a time period ~~which is~~ less
24 than 50 percent of the normal billing cycle. Instead, the utility may elect to issue a single bill
25 combining ~~combine~~ the amount owed for the service rendered during the initial time period

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 with the amount owed for the next billing cycle, ~~and issue a single bill for the combined time~~
2 ~~period. For service taken under flat rate schedules, 50 percent of the normal charges may be~~
3 ~~applied.~~

4 (4) If a customer requests a temporary discontinuance of service:

5 (a) Utilities that have the base facility charge rate structure must continue to bill the base
6 facility charge during the period of the temporary discontinuance of service.

7 (b) Utilities that have a flat rate or a rate that includes minimum usage must bill the
8 customer 40 percent of the flat or minimum rate contained on the applicable tariff during the
9 period of the temporary discontinuance of service.

10 (5) If a customer requests a permanent termination of service and the same customer
11 subsequently requests service at the same location within 6 months of the termination, the
12 utility must bill the customer the base facility charges or 40 percent of the flat rate or rates that
13 include minimum usage for the service termination period. The customer is responsible for
14 payment of all outstanding rates and charges for the termination period to restoration of
15 service.

16 (6) (4) A utility may not consider a customer delinquent in paying his or her bill until the
17 21st day after the utility has mailed or presented the bill for payment.

18 (7) (5) A Each utility must ~~shall~~ establish each point of delivery as an independent
19 customer account and must ~~shall~~ calculate the amount of the bill accordingly, except where
20 physical conditions make it necessary to use additional meters or points of delivery for one
21 class of service to a single customer on the same premises, or where such multiple meters or
22 delivery points are used for the convenience of the utility.

23 (8) (6) A utility may not incorporate municipal or county franchise fees into the amount
24 indicated as the cost for service on the customer's bill. Rather, the utility must ~~shall~~ show any
25 such franchise fee as a separate item.

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1 (9) (7) The utility must ~~shall~~ maintain a record of each customer's account for the most
2 current 2 years so as to permit reproduction of the customer's bills during the time that the
3 utility provided service to that customer.

4 ~~(8) If a utility utilizes the base facility and usage charge rate structure and does not have a~~
5 ~~Commission authorized vacation rate, the utility shall bill the customer the base facility charge~~
6 ~~regardless of whether there is any usage.~~

7 *Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented ~~367.094~~, 367.121 FS.*

8 *History—New 9-14-74, Amended 6-21-79, Formerly 25-10.97, 25-10.097, Amended 11-10-86,*
9 *11-30-93, 6-17-13, _____.*

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