

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

SELECT A TYPE: amendment and repeal

RULE NO: RULE TITLE

25-6.047: Constant Current Standards

25-6.054: Laboratory Standards

25-6.074: Applicability

25-6.081: Construction Practices

25-6.082: Records and Reports

25-6.104: Unauthorized Use of Energy

PURPOSE AND EFFECT: Rules 25-6.047, 25-6.081, and 25-6.082, F.A.C., are repealed as obsolete and unnecessary to implement the Commission's authority. Rule 25-6.054 is amended to add specificity to the rule, which gives clarity and guidance to utilities. Rule 25-6.074 concerning residential electric underground extensions is amended to repeal language that is obsolete and unnecessary to implement the Commission's authority. Rule 25-6.104 is amended to identify factors that may be used by utilities in determining an estimate of the energy used for purposes of billing customers in the event of unauthorized or fraudulent use or meter tampering, which gives clarity and guidance to the utility and its customers.

Docket No. 20200186-EU

SUMMARY: Rules 25-6.047, 25-6.081, and 25-6.082 are repealed as obsolete and unnecessary. Rule 25-6.054 identifies a specific period of time that certain records must be maintained by electric utilities. Rule 25-6.074 concerning residential electric underground extensions deletes language that is obsolete and unnecessary to implementation of the Commission's authority. Rule 25-6.104 is amended to identify factors that may be used by utilities in determining a reasonable estimate of the energy used for purposes of billing customers in the event of unauthorized or fraudulent use or meter tampering.

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 rules. A SERC has been prepared by the agency. The SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule amendments/repeals 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.

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), 366.04(2)(f), 366.05(1) FS

LAW IMPLEMENTED: 350.115, 366.03, 366.04(2)(a), (c), (f), (5), 366.05(1), (3) 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: Kathryn G.W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6216, kcowdery@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS: [TYPE AND STRIKE VERSION]

25-6.047 Constant Current Standards.

Rulemaking Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c), (5) FS. History—New 7-29-69, Formerly 25-6.47, Repealed _____.

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25-6.054 Laboratory Standards.

(1) Each utility shall have available one or more watthour meters to be used as basic reference standards. The watthour meters must have an adequate capacity and voltage range to test all portable standards used by the utility and must meet the requirements described in subsection 25-6.055(1), F.A.C.

(a) through (b) No change.

(2) No change.

(a) through (b) No change.

(3) No change.

(4) Each utility shall maintain the following historical performance records for each watthour meter used as a basic reference standard until the meter is no longer in use for the following types of comparisons:

(a) through (b) No change

Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.05(1),(3) FS. History–New 7-29-69, Amended 4-13-80, 5-13-85, Formerly 25-6.54, Amended 5-19-97, _____.

25-6.074 Applicability.

~~(1) Extensions of electric distribution lines applied for after the effective date of these rules, and necessary to furnish permanent electric service to all structures within a new residential subdivision, or to new multiple-occupancy buildings, shall be made underground when requested by an applicant or required by governmental authority.~~

~~(2) Such extensions of service shall be made by the utility in accordance with the provisions in these rules.~~

Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.03 FS. History–New 4-10-71, Formerly 25-6.74, Amended _____.

25-6.081 Construction Practices.

Rulemaking Authority 366.05(1) FS. Law Implemented 366.03 FS. History–New 4-10-71, Formerly 25-6.81, Repealed _____.

25-6.082 Records and Reports.

Rulemaking Authority 366.04(2)(f), 366.05(1) FS. Law Implemented 350.115, 366.03, 366.04(2)(a), (f) FS. History–New 4-10-71, Formerly 25-6-82, Amended 10-29-97, Repealed _____.

25-6.104 Unauthorized Use of Energy.

In the event of unauthorized or fraudulent use, or meter tampering, the utility may bill the customer for the time period at issue using an on-a-reasonable estimate of the energy used, which may include factors such as historical usage, meter data, meter test data, approximate size of the residence or building, the types of appliances and equipment using electricity, use of air conditioning and electric heating, and the number of occupants.

Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.03, 366.05(1) FS. History–New 7-29-69, Amended 4-13-80, 5-3-82, 11-21-82, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kathryn G.W. Cowdery

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 1, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 45, Number 111, June 7, 2019 and Volume 46, Number 26, February 7, 2020.



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Notices Submitted to ACR

ID	Rule No./ Organization	Rule Title	Section	Issue	Date
23607004	25-6.047,...	Constant Current Standards, Laboratory Standards, Applicability, Construction Practices, Records and Reports, Unauthorized Use of Energy	Proposed	9/3/2020 Vol. 46/173	9/2/2020
23606325	9/1/2020	FLORIDA PUBLIC SERVICE COMMISSION	Meeting	9/3/2020 Vol. 46/173	9/2/2020

Notices Confirmed by ACR

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

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