

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

SELECT A TYPE: amendment

RULE NO: RULE TITLE

25-7.039: Natural Gas Utility Petition for Rate Increase; Commission Designee

PURPOSE AND EFFECT: To update and clarify the rule concerning filing requirements to provide more clarity of the rule requirements and to improve administrative efficiency.

Docket No. 20200193-PU

SUMMARY: The rule is amended to update and clarify rule language; reduce the number of paper copies required to be filed with an application for a rate increase and address certain requirements for e-filing documents; to change the Commission designee to the Director of the office of primary responsibility for the rate filing; and to delete obsolete language concerning waivers.

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 rule. 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 will not have an adverse impact on economic growth, business competitiveness, or small business, and there would be no transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rules. The SERC concluded that the proposed rules will result in administrative efficiency and in cost reductions that will be beneficial to utilities and their customers.

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), 366.05(1), 366.06(3) FS

LAW IMPLEMENTED: 366.06(3), 366.071 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) 413-6199, kcowdery@psc.state.fl.us.

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

25-7.039 Natural Gas Utility Petition for Rate Increase ~~Minimum Filing Requirements~~; Commission Designee.

(1) General Filing Instructions.

(a) The petition under Sections 366.06 and 366.071, F.S., for an adjustment of rates must include or be accompanied by:

1. The information required by Commission Form PSC 1027 (12/20) PSC/AFD 10-G (11/89), entitled "Investor Owned Natural Gas Utilities Minimum Filing Requirements," which is incorporated into this rule by reference, and is available at [hyperlink]. ~~The form may be obtained from the Commission's Division of Accounting and Finance. This form is also available on the Commission's website, www.floridapsc.com.~~

2. No change.

3. ~~Prepared Copies of prepared~~ direct testimony and exhibits for each witness testifying on behalf of the utility company. Each witness's prefiled testimony and exhibits shall be on numbered pages and all exhibits shall be attached to the witness's testimony.

(b) In compiling the required schedules, a utility must ~~company shall~~ follow the policies, procedures and guidelines prescribed by the Commission in relevant rules and in the utility's ~~company's~~ last rate case or in a more recent rate case involving a comparable utility. ~~These schedules shall be identified appropriately (e.g. Schedule B-1 would be designated Company Schedule B-1 Company basis).~~

(c) Each schedule must ~~shall~~ be cross-referenced to identify related schedules as either supporting

schedules and/or recap schedules. If a schedule requires certain information, a utility may on that schedule reference a different schedule that provides that same information.

(d) The dimensions of each page, regardless of format, must be 8 ½ by 11 inches, and each page must be numbered. Each page of the filing shall be numbered on 8 1/2" × 11" inch paper. Each witness' prefiled testimony and exhibits shall be on numbered pages and all exhibits shall be attached to the proponent's testimony.

(e) Except for handwritten official utility company records, all data in the petition, testimony, exhibits and minimum filing requirements must shall be typed.

(f) Each schedule must shall indicate the name of the witness responsible for its presentation.

(g) All schedules involving investment data must shall be completed on an average investment basis. Unless a specific schedule requests otherwise, average is defined as the average of thirteen (13) monthly balances.

(h) The Twenty (20) copies of the filing, consisting of the petition and its supporting attachments, testimony, and exhibits, must be e-filed by the utility shall be filed with the Office of Commission Clerk. Ten paper copies of the filing, clearly labeled "COPY," and Commission Form PSC 1027 (12/20) in Microsoft Excel format with formulas intact and unlocked, must be provided to the Office of Commission Clerk within seven calendar days of the electronic filing. Excel files may be provided in media such as a USB flash drive, CD, or DVD, but may not be submitted by e-mail.

(i) Any proposed Whenever the company proposes any corrections, updates or other changes to the original filing must by e-filed by the utility originally filed data, twenty (20) copies shall be filed with the Office of Commission Clerk. Ten paper copies of the proposed corrections, updates or other changes, clearly labeled "COPY," and any schedules in Commission Form PSC 1027 (12/20) that have been changed must be provided to the Office of Commission Clerk within seven calendar days of the electronic filing. Any schedules in Commission Form PSC 1027 (12/20) that have been changed must be provided in Microsoft Excel format with formulas intact and unlocked. Excel files may be provided in media such as a USB flash drive, CD, or DVD, but may not be submitted by e-mail. On the same day as the e-filing, the utility must serve an electronic copy of the filing on each party, with copies also served on all parties at the same time.

(2) The Director of the division that has been assigned the primary responsibility for the filing is Commission Designee. The Deputy Executive Director, Technical shall be the designee of the Commission designee for purposes of determining whether the utility has met the minimum filing requirements imposed by this rule.

(3) Waiver of MFR Requirements. The Commission may grant a waiver with respect to specific data required by this rule upon a showing that production of the data would be impractical or impose an excessive economic burden upon the company.

Rulemaking Authority 350.127(2), 366.05(1), 366.06 (3) FS. Law Implemented 366.06(3), 366.071 FS. History—New 5-27-81, Formerly 25-7.39, Amended 11-21-89,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cheryl Bulecza-Banks

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 46, Number 171, September 1, 2020.

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Notices Submitted to ACR

ID	Rule No./ Organization	Rule Title	Section	Issue	Date
23967165	25-30.436,...	General Information and Instructions Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase, Financial, Rate and Engineering Information Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase, Information Required in Application for Rate Increase From Utilities with Related Parties, Additional Rate Information Required in Application for Rate Increase, Additional Engineering Information Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase, Minimum Filing Requirements for Class C Water and Wastewater Utilities	Proposed	12/8/2020 Vol. 46/237	12/7/2020
23967068	25-22.0406,...	Notice and Public Information on General Rate Increase Requests and Petitions for Limited Proceedings by Electric and Gas Utilities, Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities	Proposed	12/8/2020 Vol. 46/237	12/7/2020
23966971	25-7.039	Natural Gas Utility Minimum Filing Requirements; Commission Designee	Proposed	12/8/2020 Vol. 46/237	12/7/2020

Notices Confirmed by ACR

ID	Rule No./ Organization	Rule Title	Section	Issue	Date
23966874	25-6.043	Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee	Proposed	12/8/2020 Vol. 46/237	12/7/2020

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