

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-**

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**DATE:** December 22, 2020

**TO:** Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

**FROM:** Kathryn Cowdery, Office of the General Counsel *KCWC*

**RE:** Docket No. 20200193-PU

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Please file the attached comments from JAPC for the following proposed rules; 25-6.043, 25-7.039, 25-22.0406, 25-22.0407, and 25-30.437, F.A.C.

Thank you.

Attachment

WILTON SIMPSON

President



Representative Rick Roth, Chair  
Senator Ben Albritton, Vice Chair  
Senator Lorraine Ausley  
Senator Jason Brodeur  
Senator Danny Burgess  
Senator Shevrin D. "Shev" Jones  
Representative Demi Busatta Cabrera  
Representative Anna V. Eskamani  
Representative Sam Garrison  
Representative Thomas Patterson "Patt" Maney  
Representative Angela "Angie" Nixon

CHRIS SPROWLS

Speaker



KENNETH J. PLANTE  
COORDINATOR  
Room 680, Pepper Building  
111 W. Madison Street  
Tallahassee, Florida 32399-1400  
Telephone (850) 488-9110  
Fax (850) 922-6934  
www.japc.state.fl.us  
japc@leg.state.fl.us

THE FLORIDA LEGISLATURE  
**JOINT ADMINISTRATIVE  
PROCEDURES COMMITTEE**

December 21, 2020

Ms. Kathryn G.W. Cowdery  
Office of the General Counsel  
Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**RE: Public Service Commission  
Rule 25-6.043**

Dear Ms. Cowdery:

I have reviewed the above-referenced rule and offer the following comment for your consideration and response:

**25-6.043:** Rulemaking Authority

The citation to section 366.05(2), F.S., should be removed as it does not contain a grant of rulemaking authority.

If you have questions, please do not hesitate to contact me. Otherwise, I look forward to your written response.

Sincerely,

A handwritten signature in blue ink that reads "Jamie L. Jackson".

Jamie L. Jackson  
Chief Attorney

WILTON SIMPSON

President



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**RE: Public Service Commission  
Rule 25-7.039**

Dear Ms. Cowdery:

I have reviewed the above-referenced rule and offer the following comments for your consideration and response:

- 25-7.039:** Rulemaking Authority/Law Implemented  
It appears that section 366.06(1), F.S., should be cited as providing rulemaking authority for, and as a law implemented by, this rule. Please review whether section 366.06(3), F.S., should be removed as not providing rulemaking authority for the content of this rule.
- 25-7.039(1)(a)1.:** Please correct the title of the incorporated form in the rule to align with that on form PSC 1027.

If you have questions, please do not hesitate to contact me. Otherwise, I look forward to your written response.

Sincerely,

A handwritten signature in blue ink that reads "Jamie L. Jackson".

Jamie L. Jackson  
Chief Attorney

WILTON SIMPSON

President



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Tallahassee, Florida 32399-0850

**RE: Public Service Commission  
Rules 25-22.0406 and .0407**

Dear Ms. Cowdery:

I have reviewed the above-referenced rules and offer the following comments for your consideration and response:

- 25-22.0406:** Law Implemented  
Please review whether section 366.041(1), F.S., is properly cited as a law implemented by the content of this rule.
- 25-22.0406(2)(e)2.:** With the proposed amendments to this rule removing the physical copy requirements, please review whether amendments are needed to this subparagraph to reflect that the application is not required to be at a physical location.
- 25-22.0406(3)(b)2.:** Please see the comment above for rule 25-22.0406(2)(e)2.
- 25-22.0407:** Law Implemented  
Sections 120.569 and .57, F.S., should be removed as laws implemented by this rule. Please review whether section 367.0817, F.S., is properly cited as a law implemented by the content of this rule.

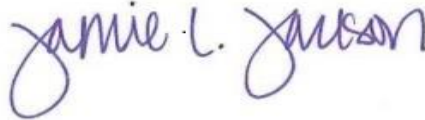
Ms. Kathryn G.W. Cowdery

December 21, 2020

Page 2

If you have questions, please do not hesitate to contact me. Otherwise, I look forward to your written response.

Sincerely,

A handwritten signature in purple ink that reads "Jamie L. Jackson". The signature is written in a cursive style with a large initial "J" and a distinct "L" and "J" in the middle.

Jamie L. Jackson  
Chief Attorney

JLJ:tl #183304 #183305

WILTON SIMPSON

President



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**RE: Public Service Commission  
Rule 25-30.437**

Dear Ms. Cowdery:

I have reviewed the above-referenced rule and offer the following comments for your consideration and response:

- 25-30.437(1):** Please correct the title of the incorporated form in the rule to align with that on form PSC 1030.
- 25-30.437(4):** As the language in this subsection is newly added to this rule, the strikethrough coding to remove the word "should," is incorrect as it implies that this word is in the existing rule. Please ensure this coding is corrected.

If you have questions, please do not hesitate to contact me. Otherwise, I look forward to your written response.

Sincerely,

A handwritten signature in blue ink that reads "Jamie L. Jackson".

Jamie L. Jackson  
Chief Attorney