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STATE OF FLORIDA



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

2021 JUN -4 PM 4:16

COMMISSION  
CLERK

## Public Service Commission

June 4, 2021

Ms. Anya Grosenbaugh  
Florida Department of State  
Administrative Code and Register Section  
Room 701, the Capitol  
Tallahassee, FL 32399-0250  
[RuleAdoptions@DOS.MyFlorida.com](mailto:RuleAdoptions@DOS.MyFlorida.com)

Via E-Mail

Packet: 20200290

**Re: Rule Certification Packet for Rule 25-30.460, F.A.C., Application for Miscellaneous Service Charges**

Dear Ms. Grosenbaugh:

Enclosed for filing is a complete rule certification packet for Rule 25-30.460, F.A.C., consisting of:

- (1) One copy of the coded text of the rule in Word version sent as an email attachment;
- (2) There are no materials incorporated by reference into this rule.
- (3) One copy of the signed rule certification form;
- (4) One copy of the signed designation of minor violation rule certification form required by Rule 1-1.010, F.A.C.;
- (5) One copy of the coded text of the rule, including the legal citations and history notes;
- (6) One copy of the summary of the rule;
- (7) One copy of the detailed written statement of the facts and circumstances justifying the rule; and
- (8) One copy of the summary of the hearings held on the rule.

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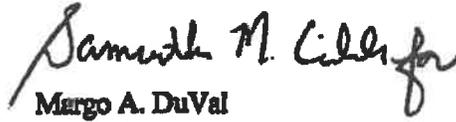
PSC Website: <http://www.floridapsc.com>

Internet E-mail: [contact@psc.state.fl.us](mailto:contact@psc.state.fl.us)

Mr. Ernest Reddick  
Page 2  
June 4, 2021

Please let me know if you have any questions. The contact name and information for this rule are Margo DuVal, Florida Public Service Commission, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0250, (850) 413-6076, mduval@psc.state.fl.us.

Sincerely,

  
Margo A. DuVal  
Senior Attorney

Enclosures

cc: Office of the Commission Clerk (Docket No. 20200240-WS)

**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 ombudsman in the Executive Office of the Governor.

The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

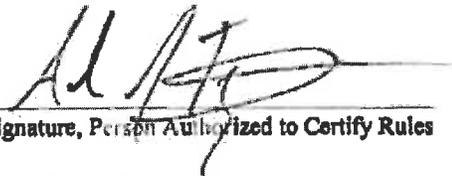
Rule No(s).

25-30.460

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 Date: \_\_\_\_\_

(month) (day) (year)

  
\_\_\_\_\_  
Signature, Person Authorized to Certify Rules

Commission Clerk

Title

2  
\_\_\_\_\_  
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).

25-30.460

Rules covered by this certification:

Rule No(s).

25-30.460



\_\_\_\_\_  
Signature of Agency Head

Chairman, Florida Public Service Commission  
Title

**25-30.460 Application for Miscellaneous Service Charges.**

(1) All water and wastewater utilities may apply for miscellaneous service charges, and these charges shall be included in each company's tariff. ~~If a utility provides both water and wastewater services, only a single charge shall be assessed for each of the miscellaneous service charges identified in subsection (2), and include rates for initial connections, normal reconnections, violation reconnections, and premises visit charges.~~

(2) The following identifies and defines miscellaneous service charges:

(a) A premises visit charge is levied when a service representative visits a premises to discontinue service for nonpayment of a due and collectible bill and the customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill and service is not discontinued. A premises visit charge is also levied when a service representative visits a premises at the customer's request to (1) initiate service, (2) temporarily disconnect service, (3) reconnect service after a temporary discontinuance, or (4) assess a service issue and it is found to be the customer's responsibility. Initial connection charges are levied for service initiation at a location where service did not exist previously.

(b) Normal reconnection charges are levied for transfer of service to a new customer account at a previously served location, or reconnection of service subsequent to a customer requested disconnection.

(b)(e) A violation reconnection is a charge that is levied prior to reconnection of an existing customer after discontinuance of service for cause according to subsection 25-30.320(2), F.A.C., including a delinquency in bill payment. Violation reconnection charges are at the tariffed rate for discontinuance of water service and actual cost for discontinuance of wastewater service.

(c)(d) A convenience charge is levied when a utility bill is paid by debit or credit card. Premises Visit Charge is levied when a service representative visits a premises at the customer's request for complaint resolution and the problem is found to be the customer's responsibility.

(d)(e) An investigation of meter tampering charge is levied when an investigation reveals evidence of unauthorized connection to, or tampering with, the utility's meter or equipment, pursuant to paragraph 25-30.320(2)(i), F.A.C. Premises Visit Charge (in lieu of disconnection) is levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

(e) A late payment charge is levied when a customer is delinquent in paying a bill for service, pursuant to subsection 25-30.335(4), F.A.C.

(f) A non-sufficient funds charge is levied when a customer's payment is refused by the drawee because of lack of funds, lack of credit, or lack of an account, pursuant to Section 68.065, F.S.

(2) A utility may request an additional charge ("after hours charge") for overtime when the customer requests that the service be performed after normal hours. The after hours charge may be at the same rate specified for the existing charge during normal working hours. If the utility seeks a charge other than the normal working hours charge, the utility must file cost support.

(3) A utility may apply for after hours charges for a premises visit charge or violation reconnection charge to account for the overtime when the customer requests that the service be performed after normal business hours.  
*Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented 367.081, 367.121, 367.091 FS. History—New 11-30-93, Amended.*

#### **SUMMARY OF THE RULE**

**Rule 25-30.460 identifies and defines the various miscellaneous service charges for which water and wastewater utilities may request the Commission's approval and addresses how the utilities may assess these charges.**

#### **WRITTEN STATEMENT OF THE FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE**

**The amendments update the definitions of available miscellaneous service charges, simplify the definition of the after hours charge, and clarify that utilities providing both water and wastewater services should assess only one instance of a miscellaneous service charge for a single event.**

#### **SUMMARY OF ANY HEARINGS HELD ON THE RULE**

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



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

June 4, 2021

Margo A. DuVal  
Senior Attorney  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0250

Attention: Julie Phillips

Dear Ms. Harper:

Your adoption package for Rule 25-30.460, F.A.C. was received, electronically, by the Florida Department of State, Administrative Code and Register, at 8:55 a.m. on June 4, 2021. After review, it appears that the package meets statutory requirements and those of Rule 1-1.010, F.A.C. and is deemed filed for adoption at the time received, as indicated above. The effective date is June 24, 2021.

Sincerely,

Anya C. Grosenbaugh  
Program Administrator

ACG/mas

**WILTON SIMPSON**  
President



Representative Rick Roth, Chair  
Senator Bea Albritton, Vice Chair  
Senator Lorraine Ausley  
Senator Jason Brodeur  
Senator Dauny Burgess  
Senator Shevria D. "Shev" Jones  
Representative Demí Bosatta Cabrera  
Representative Anna V. Eskamani  
Representative Sam Garrison  
Representative Thomas Patterson "Pat" Mancy  
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**

**CERTIFICATION**

**Department:** Public Service Commission  
**Agency:**  
**Rule No(s):** 25-30.460  
**File Control No:** 184199

As required by subparagraph 120.54(3)(e)4 F.S., the Joint Administrative Procedures Committee hereby certify that:

- There were no material and timely written comments or written inquiries made on behalf of the committee regarding the above listed rule; or
- The adopting agency has responded in writing to all material and timely written comments or written inquiries made on behalf of the committee regarding the above listed rules; or
- The adopting agency has not responded in writing to all material and timely written comments or written inquiries made on behalf of the Committee regarding the above listed rules.

Certification Date: 6/4/2021

This certification expires after: 6/11/2021

Certifying Attorney: Jamie Jackson

**NOTE:**

- The above certified rules include materials incorporated by reference.
- The above certified rules do not include materials incorporated by reference.

**Swain, Margaret A.**

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**From:** Julie Phillips <JPhillip@PSC.STATE.FL.US>  
**Sent:** Friday, June 4, 2021 8:55 AM  
**To:** RuleAdoptions  
**Cc:** Grosenbaugh, Anya C.; Swain, Margaret A.; Julie Phillips; Margo DuVal  
**Subject:** Rule Adoption Certification packet, Rule 25-30.460, F.A.C.  
**Attachments:** 25-30.460 10 pt. for adoption.docx; 25-30.460 adoption pkt. for DOS.pdf

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

The Rule Certification packet for Rule 25-30.460, F.A.C., with attachment of the PDF of the entire packet, along with the Word version of the coded text of the rule.

We await your confirmation email.

Thank you.

*Julie Phillips*  
Office of the General Counsel  
Florida Public Service Commission  
850.413.6084

## Julie Phillips

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**From:** Swain, Margaret A. <Margaret.Swain@dos.myflorida.com>  
**Sent:** Friday, June 04, 2021 9:49 AM  
**To:** Julie Phillips; Margo DuVal; Joint Administrative Procedures Committee  
**Cc:** Grosenbaugh, Anya C.  
**Subject:** Adoption Packet for  
**Attachments:** 25-30.460.pdf

Good morning,

The attached rule adoption packet for 25-30.460, F.A.C. was filed in our office today.

Please let me know if you have any further questions or have any trouble viewing the attached pdf. I'm new to the Administrative Code section and will be taking over Anya's position as she transitions into her role as Program Administrator for the office. My phone will be set up in a few weeks, but please feel free to contact me via email until then.

Respectfully,

Margaret Swain  
Government Operations Consultant III  
Florida Administrative Code and Register  
Room 701 The Capitol | Tallahassee, Florida

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**From:** Julie Phillips <JPhillip@PSC.STATE.FL.US>  
**Sent:** Friday, June 4, 2021 8:55 AM  
**To:** RuleAdoptions <RuleAdoptions@Dos.myflorida.com>  
**Cc:** Grosenbaugh, Anya C. <Anya.Grosenbaugh@dos.myflorida.com>; Swain, Margaret A. <Margaret.Swain@dos.myflorida.com>; Julie Phillips <JPhillip@PSC.STATE.FL.US>; Margo DuVal <mduval@psc.state.fl.us>  
**Subject:** Rule Adoption Certification packet, Rule 25-30.460, F.A.C.

### EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

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The Rule Certification packet for Rule 25-30.460, F.A.C., with attachment of the PDF of the entire packet, along with the Word version of the coded text of the rule.

We await your confirmation email.

Thank you.

*Julie Phillips*  
Office of the General Counsel  
Florida Public Service Commission  
850.413.6084