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STATE OF FLORIDA



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(850) 413-6199

Public Service Commission

May 4, 2022

Jamie L. Jackson, Chief Attorney
Joint Administrative Procedures Committee
Room 680, Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1400
JACKSON.JAMIE@leg.state.fl.us

VIA -E-MAIL

Re: Existing Rule Review, Public Service Commission,
Rules 25-25-003, 00.61., 015., 023, and .025.

Dear Ms. Jackson:

This letter responds to your February 4, 2022, letter concerning Rules 25-25-003, 00.61., 015, .023, and .025., F.A.C. We have been in the process of reviewing all of our purchasing rules, i.e., the entire Chapter 25-25, F.A.C., and in response to your letter, offer the following comments.

25-25.003(21): The quoted language in this subsection requires updates to track the requirement in section 120.57(3)(a), F.S.

Response: Commission staff has reviewed this rule and determined that this rule may be amended or, alternatively, repealed as unnecessary. Staff anticipates that rulemaking will be initiated in the next few months to amend or repeal this rule.

25-25.0061(2): The reference to rule 60A-1.012, F.A.C., requires updating as that rule was repealed.

Response: Commission staff has reviewed this rule and determined that this rule may be amended or, alternatively, repealed as unnecessary. Staff anticipates that rulemaking will be initiated in the next few months to amend or repeal this rule.

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2022 MAY -4 AM 9:00
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CLERK

25-25.015: This rule requires the use of a form, but does not set forth the name or incorporative information for that form. Updates are necessary to bring this language in line with requirements found in section 120.54(1)(i), F.S., and rule 1-1.013(2), F.A.C.

Response: Commission staff has reviewed this rule and determined that this rule may be amended or, alternatively, repealed as unnecessary. Staff anticipates that rulemaking will be initiated in the next few months to amend or repeal this rule.

25-25.023(2): It is unclear from this subsection what criteria the Commission considers in determining whether to reject an application. *See* §120.52(8)(d), Fla. Stat. (2021). Please review and revise.

Response: Commission staff has reviewed this rule and determined that this rule may be amended or, alternatively, repealed as unnecessary. Staff anticipates that rulemaking will be initiated in the next few months to amend or repeal this rule.

25-25.023(3): This subsection sets forth that reasonable grounds for removal from vendor files and mailing lists, “may include but shall not be limited to,” certain enumerated grounds. The use of the quote phrase implies that there are additional grounds that could be enforced that are not enumerated. *See* §120.52(8)(d), Fla. Stat. (2021). Please review and advise.

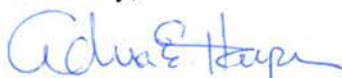
Response: Commission staff has reviewed this rule and determined that this rule may be amended or, alternatively, repealed as unnecessary. Staff anticipates that rulemaking will be initiated in the next few months to amend or repeal this rule.

25-25.025(1): This reference should be to “minority business enterprises” as defined in section 288.703. F.S.

Response: Commission staff has reviewed this rule and determined that this rule may be amended or, alternatively, repealed as unnecessary. Staff anticipates that rulemaking will be initiated in the next few months to amend or repeal this rule.

Please contact me at (850) 413-6082 or aharper@psc.state.fl.us if you have any questions or concerns.

Sincerely,



Adria E. Harper
Senior Attorney

cc: Office of Commission Clerk (undocketed 20220000-OT)

Julie Phillips

From: Adria Harper
Sent: Wednesday, May 4, 2022 8:47 AM
To: 'Jackson, Jamie'
Cc: Julie Phillips
Subject: PSC's Response to JAPC re: Existing Rule Review/Rules 25-25-003, 00.61., 015., 023, and .025.
Attachments: 2022_05_04_07_31_43.pdf

Good morning, Jamie.

Please see the attached letter re: Rules 25-25-003, 00.61., 015., 023, and .025.

Thank you in advance,
Adria

Adria E. Harper
Senior Attorney
Florida Public Service Commission
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(850) 413-6082

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