

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed repeal of Chapter 25-25, F.A.C., concerning purchasing procedures; proposed repeal of Rule 25-22.002, F.A.C., Agenda of Meetings; proposed repeal of Rules 25-22.100, 25-22.101, 25-22.1035, 25-22.104, 25-22.105, and 25-22.107, F.A.C., concerning management of records; and proposed repeal of Rule 25-22.033, F.A.C., Communications Between Commission Employees and Parties.

DOCKET NO. 20220127-PU  
ORDER NO. PSC-2022-0293-NOR-PU  
ISSUED: August 5, 2022

The following Commissioners participated in the disposition of this matter:

ANDREW GILES FAY, Chairman  
ART GRAHAM  
GARY F. CLARK  
MIKE LA ROSA  
GABRIELLA PASSIDOMO

NOTICE OF RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has proposed the repeal of all the rules in Chapter 25-25, General Purchasing Procedures; Rule 25-22.002, Agenda of Meeting; Rule 25-22.100, Authority; Rule 25-22.101, Purpose; Rule 25-22.1035, Official Reporter for Final Orders; Rule 25-22.104, Numbering of Orders; Rule 25-22.105, Electronic database of Orders and Other Records; Rule 25-22.107, Plan for Making Orders Available to the Public; and Rule 25-22.033, Communications between Commission Employees and Parties.

The attached Notices of Proposed Rules appeared in the August 5, 2022, edition of the Florida Administrative Register. If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Requests for hearing on the proposed rules, information regarding the statement of estimated regulatory costs, or proposals for a lower cost regulatory alternative must be provided in writing and received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than August 26, 2022.

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By ORDER of the Florida Public Service Commission this 5th day of August, 2022.



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ADAM J. TEITZMAN  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
[www.floridapsc.com](http://www.floridapsc.com)

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

AEH

Notice of Proposed Rule

**PUBLIC SERVICE COMMISSION**

RULE NOS.:      RULE TITLES:

25-22.002      Agenda of Meetings  
25-22.100      Authority  
25-22.101      Purpose  
25-22.1035      Official Reporter for Final Orders  
25-22.104      Numbering of Orders  
25-22.105      Electronic Database of Orders and Other Records  
25-22.107      Plan for Making Orders Available to the Public  
25-22.033      Communications Between Commission Employees and Parties

PURPOSE AND EFFECT: To repeal these Commission rules.

Docket No. 20220127-PU

SUMMARY: The Commission determined that there is no implementing authority or rulemaking authority for these rules and, therefore, they are being repealed.

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 not been prepared by the Agency.

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: Because these are rule repeals, it was determined that no costs would be incurred as a result of the repeals and, therefore, the proposed repeal of the rules will not require legislative ratification.

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: 120.53, 120.532, 120.533, 350.12, 350.0, F.S.

LAW IMPLEMENTED: 120.525, 120.53, 120.569, 120.57, 350.042, 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: Adria Harper, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, aharper@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

**25-22.002 Agenda of Meetings.**

*Rulemaking Authority 350.127(2) FS. Law Implemented 120.525 FS. History—New 12-21-81, Formerly 25-22.02, Amended 4-18-94, 5-3-99, Repealed\_\_\_\_\_.*

**25-22.100 Authority.**

*Rulemaking Authority 120.533 FS. Law Implemented 120.53(2)-(4) FS. History—New 9-24-92, Amended 12-27-94, Repealed\_\_\_\_\_.*

**25-22.101 Purpose.**

*Rulemaking Authority 120.533 FS. Law Implemented 120.53(2)-(4) FS. History—New 9-24-92, Amended 12-27-94, Repealed\_\_\_\_\_.*

**25-22.1035 Official Reporter for Final Orders.**

*Rulemaking Authority 120.532, 120.533 FS. Law Implemented 120.53(2)(a), (d), (4) FS. History—New 12-27-94, Amended 2-2-10, Repealed\_\_\_\_\_.*

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**25-22.104 Numbering of Orders.**

*Rulemaking Authority 120.53(1) FS. Law Implemented 120.53(2)-(4) FS. History—New 9-24-92, Amended 12-27-94, 12-26-01, Repealed\_\_\_\_\_.*

**25-22.105 Electronic Database of Orders and Other Records.**

*Rulemaking Authority 120.533(1)(f) FS. Law Implemented 120.53(2)-(4) FS. History—New 9-24-92, Amended 12-27-94, 2-2-10, Repealed\_\_\_\_\_.*

**25-22.107 Plan for Making Orders Available to the Public.**

*Rulemaking Authority 120.53(2), (8) FS. Law Implemented 120.52(2) FS. History—New 9-24-92, Amended 12-27-94, 2-2-10, Repealed\_\_\_\_\_.*

**25-22.033 Communications Between Commission Employees and Parties.**

*Rulemaking Authority 350.01(7), 350.127(2) FS. Law Implemented 120.569, 120.57, 350.042 FS. History—New 3-24-93, Repealed\_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Adria Harper

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2022

Notice of Proposed Rule

**PUBLIC SERVICE COMMISSION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
25-25.001	Purpose
25-25.002	Intent
25-25.003	Definitions
25-25.004	Procurement Organization
25-25.005	Delegation of Authority
25-25.006	Formal Bids Required
25-25.0061	Purchasing Threshold Amounts and Procedures for Automatic Annual Adjustments
25-25.007	Legal Advertisements
25-25.008	Contracts for Class B Printing
25-25.009	Source Selection, Bid Openings and Contract Awards
25-25.010	Single Source Procurement
25-25.011	Emergency Procurement
25-25.012	Responsibility of Bidders and Offerors
25-25.013	Multi-Term Contracts
25-25.014	Cancellation Clause
25-25.015	Installment Sale and Purchase Contracts
25-25.016	Exemptions from Competitive Bid Requirements
25-25.017	Bid Borrowing
25-25.018	Use of the Terms “or equivalent” and “no substitute.”
25-25.019	Purchases Not Requiring Formal Bids
25-25.020	Determinations
25-25.021	Protest of Commission Decision
25-25.022	Acquisition of Printing, Duplicating and Reproduction Equipment
25-25.023	Vendors and Suppliers
25-25.024	Contractual Services
25-25.025	Minority Business Companies
25-25.030	Leases for Real Property

PURPOSE AND EFFECT: To repeal these Commission rules.

Docket No. 20220127-PU

SUMMARY: These rules are being repealed because they are outdated and obsolete.

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 not been prepared by the Agency.

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: Because these are rule repeals, it was determined that no costs would be incurred as a result of the repeals and, therefore, the proposed repeal of the rules will not require legislative ratification.

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: 350.0603, 287.056, 287.057, 287.017, and 287.058, F.S.

LAW IMPLEMENTED: 350.0603, 287.056, 287.057, 287.017, and 287.058, F.S.

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: Adria Harper, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, aharper@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

**25-25.001 Purpose.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.01, Repealed.*

**25-25.002 Intent.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.02, Repealed.*

**25-25.003 Definitions.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.03, Amended 12-24-86, 8-15-90, Repealed.*

**25-25.004 Procurement Organization.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603, 350.127(3) FS. History—New 4-12-83, Formerly 25-25.04, Repealed.*

**25-25.005 Delegation of Authority.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.05, Amended 12-24-86 Repealed.*

**25-25.006 Formal Bids Required.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.06, Amended 12-24-86 Repealed.*

**25-25.0061 Purchasing Threshold Amounts and Procedures for Automatic Annual Adjustments.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 12-24-86, Amended 6-19-95, Repealed.*

**25-25.007 Legal Advertisements.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.07, Amended 12-24-86, Repealed.*

**25-25.008 Contracts for Class B Printing.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.08, Amended 12-24-86, Repealed.*

**25-25.009 Source Selection, Bid Openings and Contract Awards.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.09, Amended 12-24-86, 6-19-95, Repealed.*

**25-25.010 Single Source Procurement.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.10, Repealed.*

**25-25.011 Emergency Procurement.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.11, Repealed.*

**25-25.012 Responsibility of Bidders and Offerors.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.12, Repealed \_\_\_\_\_.*

**25-25.013 Multi-term Contracts.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.13, Repealed \_\_\_\_\_.*

**25-25.014 Cancellation Clause.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.14, Amended 12-24-86, Repealed \_\_\_\_\_.*

**25-25.015 Installment Sale and Purchase Contracts.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.15, Repealed \_\_\_\_\_.*

**25-25.016 Exemptions from Competitive Bid Requirements.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.16, Amended 12-24-86, 6-19-95, Repealed \_\_\_\_\_.*

**25-25.017 Bid Borrowing.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.17, Amended 12-24-86, Repealed \_\_\_\_\_.*

**25-25.018 Use of the Terms “or equivalent” and “no substitute.”**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.18, Repealed \_\_\_\_\_.*

**25-25.019 Purchases Not Requiring Formal Bids.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.19, Amended 12-24-86, Repealed \_\_\_\_\_.*

**25-25.020 Determinations.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.20, Repealed \_\_\_\_\_.*

**25-25.021 Protest of Commission Decision.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.21, Repealed \_\_\_\_\_.*

**25-25.022 Acquisition of Printing, Duplicating and Reproduction Equipment.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.22, Repealed \_\_\_\_\_.*

**25-25.023 Vendors and Suppliers.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-25.23, Amended 12-24-86, Repealed \_\_\_\_\_.*

**25-25.024 Contractual Services.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History–New 4-12-83, Formerly 25-24.24, Amended 12-24-86, Repealed \_\_\_\_\_.*

**25-25.025 Minority Business Companies.**

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*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 4-12-83, Formerly 25-25.25, Repealed.*

**25-25.030 Leases for Real Property.**

*Rulemaking Authority 350.0603, 350.127(2) FS. Law Implemented 350.0603 FS. History—New 8-15-90, Repealed.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Adria Harper

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2022