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July 7, 2026

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Item 1

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-

DATE: June 24, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Office of the General Counsel (Sapoznikoff) *SMC*
Division of Accounting and Finance (Vogel) *MC*
Division of Economics (Guffey) *EDD*

RE: Docket No. 20260036-OT – Proposed amendment of Rules 25-6.109, Refunds; 25-6.0435, Interim Rate Relief; 25-7.040, Interim Rate Relief; 25-7.091, Refunds; 25-30.117, Accounting for Pension Costs; and 25-30.360, Refunds, F.A.C.

AGENDA: 07/07/26 – Regular Agenda – Rule Proposal – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Ortega

CRITICAL DATES: 09/21/26 (Rule must be proposed by this date pursuant to Section 120.54(2)(a)2., F.S.)

RULE STATUS: Proposal May Be Deferred

SPECIAL INSTRUCTIONS: None

Case Background

In 2025, the Legislature amended Chapter 120, Florida Statutes, to require each agency to review all of its rules over a five-year period. This recommendation addresses the following rules that were identified in the Commission's rule review as part of the rules needing amendment:

- Rule 25-6.0435, F.A.C. Interim Rate Relief
- Rule 25-6.109, F.A.C., Refunds

- Rule 25-7.040, F.A.C. Interim Rate Relief
- Rule 25-7.091, F.A.C. Refunds
- Rule 25-30.117, F.A.C. Accounting for Pension Costs
- Rule 25-30.360, F.A.C., Refunds

These rules pertain to accounting guidelines.

The Commission's Notices of Development of Rulemaking were published in Volume 52, Number 57, of the Florida Administrative Register on March 24, 2026. OPC requested a workshop regarding Rule 25-30.117, F.A.C. However, OPC later submitted written comments in lieu of holding a workshop, which comments are incorporated in the draft amendments for that rule.

This recommendation addresses whether the Commission should propose the amendment of Rules 25-6.0435, 25-6.109, 25-7.040, 25-7.091, 25-30.117, and 25-30.360, F.A.C. The Commission has jurisdiction pursuant to Section 120.54, 350.127(2), 366.05(1), 366.071, and 367.121, Florida Statutes.

Discussion of Issues

Issue 1: Should the Commission propose the amendment of Rules 25-6.0435, 25-6.109, 25-7.040, 25-7.091, 25-30.117, and 25-30.360, F.A.C.?

Recommendation: Yes. The Commission should propose the amendment of Rules 25-6.0435, 25-6.109, 25-7.040, 25-7.091, 25-30.117, and 25-30.360, F.A.C., as set forth in Attachment A. The Commission should also certify the rules as minor violation rules. (Sapoznikoff, Hampson, Vogel, Guffey)

Staff Analysis: The purpose of this rulemaking is to amend Rules 25-6.0435, 25-6.109, 25-7.040, 25-7.091, 25-30.117, and 25-30.360, F.A.C., to update and clarify the rules to reflect current practice and use. Staff is recommending minor amendments to all the rules to update the rule language to make them more readable. In addition, staff's recommended amendments remove obsolete references and update the rules to reflect current, widely-accepted accounting guidelines. Staff recommends the Commission propose the amendment of these rules, as set forth in Attachment A.

The recommended amendments to Rules 25-6.0435, 25-6.109, 25-7.040, 25-7.091, and 25-30.360, F.A.C., reflect use of the AA non-financial 30-day commercial paper rate published by the Board of Governors of the Federal Reserve System, rather than the rate for high-grade, unsecured note as published in the Wall Street Journal. The Wall Street Journal has not reliably published the 30-day AA non-financial commercial paper rate since September 2011. The Board of Governors of the Federal Reserve System publishes the 30-day AA non-financial commercial paper rate every business day (if there is sufficient trading data) and is more reliable. Additionally, in Rule 25-7.040, staff recommends amending the way the equations are displayed to make them be more readable.

In Rule 23-30.117, F.A.C., staff recommends use of the Accounting Standards Codification 715 (ASC 715), rather than the Statement of Financial Accounting Standards No. 87, Employers' Accounting for Pensions (SFAS 87). The Accounting Standards Codification (ASC) supersedes the Statement of Financial Accounting Standards as the centralized source of U.S. Generally Accepted Accounting Principles (U.S. GAAP), all updates to standards are now made to the ASC. At OPC's request, the rule language was clarified to mention specific updates that were already part of the ASC.

Minor Violation Rule Certification

Pursuant to Section 120.695, F.S., for each rule filed for adoption, the agency head shall certify whether any part of a rule is designated as a rule the violation of which would be a minor violation. Under Section 120.695(2)(b), F.S., a violation of a rule is minor if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. Rules 25-6.0435, 25-6.109, 25-7.040, 25-7.091, 25-30.117, and 25-30.360, F.A.C., are all currently listed as minor violation rules, and staff recommends that all should remain listed as minor violation rules by the Commission. These rules are minor violation rules because the violation of any of them would not result in economic or physical harm to a person, cause an adverse effect on the public health, safety, or welfare, or create a significant threat of such harm. Therefore, for the purposes of filing the rules for

Date: June 24, 2026

adoption with the Department of State, staff recommends that the Commission certify the above-mentioned rules as minor violation rules.

Statement of Estimated Regulatory Costs

Section 120.54(3)(b)1., F.S., encourages agencies to prepare a Statement of Estimated Regulatory Costs (SERC) before the adoption, amendment, or repeal of any rule. A SERC was prepared for each rule in this rulemaking and they are appended as Attachment B. As required by Section 120.541(2)(a)1., F.S., the SERC analysis includes whether the rule amendments are individually likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within five years after implementation.

The SERCs conclude that the amendments of any of the rules will not likely directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in Florida within one year after implementation. Further, the SERCs conclude that the rule amendments will likely not increase regulatory costs, including any transactional costs, or have an adverse impact on business competitiveness, productivity, or innovation, in excess of \$1 million in the aggregate within five years of implementation. Thus, pursuant to Section 120.541(3), F.S., none of the rules require legislative ratification.

In addition, the SERCs do not indicate that the amendment of any of the rules would have an adverse impact on small businesses, would have any implementation or enforcement costs on the Commission or any other state or local government entity, or would have any impact on small cities or small counties. The SERCs state that there will be no transactional costs likely to be incurred by individuals and entities required to comply with the requirements. None of the impact/cost criteria established in Section 120.541(2)(a), F.S., will be exceeded as a result of any of the rules. Finally, the SERCs indicate that there are no market impacts likely to result from compliance with the proposed rules.

Conclusion

Based on the foregoing, staff recommends that the Commission propose the amendment of Rules 25-6.0435, 25-6.109, 25-7.040, 25-7.091, 25-30.117, and 25-30.360, F.A.C., as set forth in Attachment A. Staff also recommends the Commission certify the rules as minor violation rules.

Issue 2: Should this docket be closed?

Recommendation: Yes. If no requests for hearing are made or comments from the Joint Administrative Procedures Committee (JAPC) are filed, and no proposals for lower cost regulatory alternatives are submitted pursuant to Section 120.541(1)(a), F.S., then the rules should be filed with the Department of State for adoption and the docket should be closed. (Sapoznikoff)

Staff Analysis: If no request for hearing is made or comments from JAPC are filed, and no proposals for a lower cost regulatory alternatives are submitted pursuant to Section 120.541(1)(a), F.S., then the rules should be filed with the Department of State for adoption and the docket should be closed.

25-6.0435 Interim Rate Relief.

(1) Each electric utility petitioning for interim rate relief pursuant to Section 366.071, F.S., ~~must shall~~ file the data required by paragraph 25-6.043(1)(a), F.A.C.

(2) The requested interim increase in base rate revenues ~~must shall~~ be divided by interim test year base rate revenues to derive a percentage increase factor. The percentage increase factor ~~must shall~~ be applied uniformly to all existing base rates and charges to derive the interim base rates and charges.

(3) Interim rate relief collected is subject to refund pending final order in the permanent rate relief request. Such increase ~~is shall be~~ subject to a corporate undertaking or under bond as authorized by the Commission and any refund ~~must shall~~ be made with an interest factor determined by using the AA non-financial 30-day commercial paper rate published by the Board of Governors of the Federal Reserve System on its website ~~for high-grade, unsecured notes, sold through dealers by major corporations in multiples of \$1,000, as regularly published in the Wall Street Journal.~~ The annual rate as published on the first day of the current business month would be added to the rate as published on the first day of the subsequent business month and halved to obtain the simple average rate to be applied in that month. This rate of interest ~~must would~~ be applied to the refund amount for that month. The amount of interest calculated ~~must would~~ be added to the beginning balance of the following month ~~so as~~ to accomplish the compounding of the interest feature of the refund provision.

Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(f), 366.06, 366.071 FS.

History—New 5-27-81, Formerly 25-6.435, Amended 2-12-04,_____.

1 **25-6.109 Refunds.**

2 (1) Applicability. With the exception of deposit refunds and refunds associated with
3 adjustment factors, all refunds ordered by the Commission must ~~shall~~ be made in accordance
4 with the provisions of this Rule, unless otherwise ordered by the Commission.

5 (2) Timing of Refunds. Refunds must be made within ninety (90) days of the
6 Commission's order unless a different time frame is prescribed by the Commission. Unless a
7 stay has been requested in writing and granted by the Commission, a motion for
8 reconsideration of an order requiring a refund will not delay the timing of the refund. In the
9 event that a stay is granted pending reconsideration, the timing of the refund must ~~shall~~
10 commence from the date of the order disposing of any motion for reconsideration. This rule
11 does not authorize any motion for reconsideration not otherwise authorized by Chapter 25-22,
12 F.A.C.

13 (3) Basis of Refund. When ~~Where~~ the refund is the result of a specific rate change,
14 including interim rate increases and the refund can be computed on a per customer basis, that
15 will be the basis of the refund. In such cases, refunds must ~~may~~ be made by either
16 recalculating the affected customer's bill or by applying an appropriate refund factor to the
17 consumption used by the customer during the refund period. However, when ~~where~~ the refund
18 is not related to specific rate changes, such as a refund for overearnings, the refund must ~~will~~
19 be made to customers of record as of a date specified by the Commission. In such case,
20 refunds must ~~shall~~ be made on the basis of consumption. Per customer refund refers to a
21 refund to every customer receiving service during the refund period. Customer of record
22 refund refers to a refund to every customer receiving service as of a date specified by the
23 Commission.

24 (4) Interest.

25 (a) When ~~In the case of refunds~~ the Commission orders refunds to be made with interest,

1 the average monthly interest rate until the refund is posted to the customer's account must
2 ~~shall~~ be based on the AA non-financial thirty 30-day (30) day commercial paper rate
3 published by the Board of Governors of the Federal Reserve System on its website for high
4 ~~grade, unsecured notes sold through dealers by major corporations in multiples of \$1,000 as~~
5 ~~regularly published in the Wall Street Journal.~~

6 (b) This average monthly interest rate must ~~shall~~ be calculated for each month of the
7 refund period:

8 1. By adding the published interest rate in effect for the last business day of the month
9 prior to each month of the refund period and the published rate in effect for the last business
10 day of each month of the refund period divided by twenty-four (24) to obtain the average
11 monthly interest rate;

12 2. The average monthly interest rate for the month prior to distribution must ~~shall~~ be the
13 same as the last calculated average monthly interest rate.

14 (c) The average monthly interest rate must ~~shall~~ be applied to the sum of the previous
15 month's ending balance (including monthly interest accruals) and the current month's ending
16 balance divided by two (2) to accomplish a compounding effect.

17 (d) Interest Multiplier. When the refund is computed for each customer, an interest
18 multiplier can ~~may~~ be applied against the amount of each customer's refund in lieu of a
19 monthly calculation of the interest for each customer. The interest multiplier must ~~shall~~ be
20 calculated by dividing the total amount refundable to all customers, including interest, by the
21 total amount of the refund, excluding interest. For the purpose of calculating the interest
22 multiplier, the utility may, upon approval by the Commission, estimate the monthly refundable
23 amount.

24 (e) Commission staff will ~~shall~~ provide applicable interest rate figures and assistance in
25 calculations under this Rule upon request of the affected utility.

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 (5) Method of Refund Distribution. For those customers still on the system, a credit must
2 ~~shall~~ be made on the bill. In the event the refund is for a greater amount than the bill, the
3 remainder of the credit must ~~shall~~ be carried forward until the refund is completed. If the
4 customer so requests, a check for any negative balance must be sent to the customer within ten
5 (10) days of the request. For customers entitled to a refund but no longer on the system, the
6 company must ~~shall~~ mail a refund check to the last known billing address, except that no
7 refund for less than \$1.00 will be made to these customers.

8 (6) Security for Money Collected Subject to Refund. In the case of money being collected
9 subject to refund, the money must ~~shall~~ be secured by a bond unless the Commission
10 specifically authorizes some other type of security such as placing the money in escrow,
11 approving a corporate undertaking, or providing a letter of credit. The company ~~Commission~~
12 must ~~may require the company~~ to provide a report by the 20th ~~10th~~ of each month indicating
13 the monthly and total amount of money subject to refund as of the end of the preceding month.
14 The report must ~~shall~~ also indicate the status of whatever security is being used to guarantee
15 repayment of the money.

16 (7) Refund Reports. During the processing of the refund, monthly reports on the status of
17 the refund must ~~shall~~ be made by the 20th ~~10th~~ of the following month. In addition, a
18 preliminary report must ~~shall~~ be made within thirty (30) days after the date the refund is
19 completed and again 90 days thereafter. A final report must ~~shall~~ be made after all
20 administrative aspects of the refund are completed. The above reports must ~~shall~~ specify the
21 following:

- 22 (a) The amount of money to be refunded and how that amount was computed;
- 23 (b) The amount of money actually refunded;
- 24 (c) The amount of any unclaimed refunds; and
- 25 (d) The status of any unclaimed amounts.

1 (8) With the last report under subsection (7) of this rule, the company must ~~shall~~ suggest a
2 method for disposing of any unclaimed amounts. The Commission will ~~shall~~ then order a
3 method of disposing of the unclaimed funds.

4 *Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.03, 366.04(1), (2)(f),*
5 *366.06(3), 366.07, 366.071 FS. History—New 8-18-83. Amended_____.*

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25-7.040 Interim Rate Relief.

(1) Each natural gas utility petitioning for interim rate relief pursuant to Section 366.071, F.S., must ~~shall~~ file the data required in paragraph 25-7.039(1)(a), F.A.C.

(2)(a) Interim rates must ~~shall~~ apply across the board based on base rate revenues for the test period less base gas revenue by rate schedule. The resulting dollar amount must ~~shall~~ be divided by base rate revenues per rate schedule to determine the percent increase applied to each rate schedule.

(b) In determining the interim increase, the following data must ~~shall~~ be provided by rate schedule: Therm sales; base rate revenue less base gas cost; base gas revenue; total base rate revenue; purchased gas adjustment revenue; total revenue. The interim increase must ~~shall~~ be shown by dollar amount and percentage by rate schedule calculated in the following manner:

1. Required Interim Revenue Relief / (Base rate revenue – base gas cost) = Percentage

constant I. ~~Required Interim~~

~~Revenue Relief~~

~~Across the board~~

~~Base rate revenue~~

=

~~percentage constant~~

~~less base gas cost~~

2. Percentage constant * (Base rate revenue – base gas cost) = Dollar increase to rate

schedule II. ~~Percentage Constant~~

~~×~~

~~Base rate~~

~~Revenue less base gas cost~~

=

~~Dollar increase to rate schedule~~

3. Dollar increase / Total base rate revenue = percent increase applied to rate schedule

III. ~~Dollar Increase~~

~~Percent increase~~

~~Total base rate~~

~~applied to~~

~~Revenue~~

~~rate schedule~~

(3) Interim rate relief collected is subject to refund pending final order in the permanent rate relief request. Such increase is ~~shall be~~ subject to a corporate undertaking or under bond

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1 as authorized by the Commission and any refund must ~~shall~~ be made with an interest factor
2 determined by using the AA non-financial 30-day commercial paper rate published by the
3 Board of Governors of the Federal Reserve System on its website ~~for highgrade, unsecured~~
4 ~~notes, sold through dealers by major corporations in multiples of \$1,000, as regularly~~
5 ~~published in the Wall Street Journal~~. The annual rate as published on the first day of the
6 current business month must ~~would~~ be added to the rate as published on the first day of the
7 subsequent business month and halved to obtain the simple average rate to be applied in that
8 month. This rate of interest must ~~would~~ be applied to the refund amount for that month. The
9 amount of interest calculated will be added to the beginning balance of the following month ~~so~~
10 ~~as~~ to accomplish the compounding of the interest feature of the refund provision.

11 *Rulemaking Authority 366.05(1), 366.071 FS. Law Implemented 366.06(3), 366.071 FS.*

12 *History—New 5-27-81, Formerly 25-7.40, Amended*.

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1 **25-7.091 Refunds.**

2 (1) Applicability. With the exception of deposit refunds and refunds associated with
3 adjustment factors, all refunds ordered by the Commission must ~~shall~~ be made in accordance
4 with the provisions of this rule, unless otherwise ordered by the Commission.

5 (2) Timing of Refunds. Refunds must be made within ninety (90) days of the
6 Commission's order unless a different time frame is prescribed by the Commission. Unless a
7 stay has been requested in writing and granted by the Commission, a motion for
8 reconsideration of an order requiring a refund will not delay the timing of the refund. In the
9 event that a stay is granted pending reconsideration, the timing of the refund must ~~shall~~
10 commence from the date of the order disposing of any motion for reconsideration. This rule
11 does not authorize any motion for reconsideration not otherwise authorized by Chapter 25-22,
12 F.A.C.

13 (3) Basis of Refund. When ~~Where~~ the refund is the result of a specific rate change,
14 including interim rate cases and the refund can be computed on a per customer basis, that will
15 be the basis of the refund. However, when ~~where~~ the refund is not related to specific rate
16 changes, such as a refund for overearnings, the refund must ~~shall~~ be made to customers of
17 record as of a date specified by the Commission. In such case, refunds must ~~shall~~ be made on
18 the basis of consumption. Per customer refund refers to a refund to every customer receiving
19 service during the refund period. Customer of record refund refers to a refund to every
20 customer receiving service as of a date specified by the Commission.

21 (4) Interest.

22 (a) When ~~In the case of refunds which~~ the Commission orders refunds to be made with
23 interest, the average monthly interest rate until the refund is posted to the customer's account
24 must ~~shall~~ be based on the AA non-financial thirty 30-day (30)-day commercial paper rate
25 published by the Board of Governors of the Federal Reserve System on its website for high

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existing law.

1 ~~grade, unsecured notes sold through dealers by major corporations in multiples of \$1,000 as~~
2 ~~regularly published in the Wall Street Journal.~~

3 (b) This average monthly interest rate must ~~shall~~ be calculated for each month of the
4 refund period:

5 1. By adding the published interest rate in effect for the last business day of the month
6 prior to each month the refund period and the published rate in effect for the last business day
7 of each month of the refund period divided by twenty-four (24) to obtain the average monthly
8 interest rate;

9 2. The average monthly interest rate for the month prior to distribution will ~~shall~~ be the
10 same as the last calculated average monthly interest rate.

11 (c) The average monthly interest rate must be applied to the sum of the previous month's
12 ending balance (including monthly interest accruals) and the current month's ending balance
13 divided by two (2) to accomplish a compounding effect.

14 (d) Interest Multiplier. When the refund is computed for each customer, an interest
15 multiplier can ~~may~~ be applied against the amount of each customer's refund in lieu of a
16 monthly calculation of the interest for each customer. The interest multiplier must ~~shall~~ be
17 calculated by dividing the total amount refundable to all customers, including interest, by the
18 total amount of the refund, excluding interest. For the purpose of calculating the interest
19 multiplier, the utility may, upon approval by the Commission, estimate the monthly refundable
20 amount.

21 (e) Commission staff will ~~shall~~ provide applicable interest rate figures and assistance in
22 calculations under this rule upon request of the affected utility.

23 (5) Method of Refund Distribution. For those customers still on the system, a credit must
24 ~~shall~~ be made on the bill. In the event the refund is for a greater amount than the bill, the
25 remainder of the credit must ~~shall~~ be carried forward until the refund is completed. If the

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existing law.

1 customer so requests, a check for any negative balance must be sent to the customer within ten
2 (10) days of the request.

3 For customers entitled to a refund but no longer on the system, the company must ~~shall~~ mail a
4 refund check to the last known billing address except that no refund for less than \$1.00 will be
5 made to these customers.

6 (6) Security for Money Collected Subject to Refund. In the case of money being collected
7 subject to refund, the money must ~~shall~~ be secured by a bond unless the Commission
8 specifically authorizes some other type of security such as placing the money in escrow,
9 approving a corporate undertaking, or providing a letter of credit. The company ~~Commission~~
10 must ~~may require the company to~~ provide a report by the 20th ~~10th~~ of each month indicating
11 the monthly and total amount of money subject to refund as of the end of the preceding month.
12 The report must ~~shall~~ also indicate the status of whatever security is being used to guarantee
13 repayment of the money.

14 (7) Refund Reports. During the processing of the refund, monthly reports on the status of
15 the refund must ~~shall~~ be made by the 20th ~~10th~~ of the following month. In addition, a
16 preliminary report must ~~shall~~ be made within thirty (30) days after the date the refund is
17 completed and again 90 days thereafter. The above reports must ~~shall~~ specify the following:

- 18 (a) The amount of money to be refunded and how that amount was computed;
19 (b) The amount of money actually refunded;
20 (c) The amount of any unclaimed refunds; and
21 (d) The status of any unclaimed amounts.

22 (8) With the last report under subsection (7) of this rule, the company must ~~shall~~ suggest a
23 method for disposing of any unclaimed amounts. The Commission will ~~shall~~ then order a
24 method of disposing of the unclaimed funds.

25 *Rulemaking Authority 350.127(2) FS. Law Implemented 366.06(3), 366.071(2) FS. History—*

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Date: June 24, 2026

1 *New 8-18-83, Formerly 25-7.91. Amended_____.*

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1 **25-30.117 Accounting for Pension Costs.**

2 Any utility that has an established defined benefit pension plan as defined by the Financial
3 Accounting Standard's Board in the Accounting Standards Codification 715 (ASC 715), dated
4 March 2017 Statement of Financial Accounting Standards No. 87, Employers' Accounting for
5 Pensions (SFAS 87), dated December, 1985, must ~~shall~~ account for these costs pursuant to
6 ASC 715, as well as Accounting Standards Update (ASU) 2017-07, dated December 15, 2018,
7 and ASU 2018-14, dated August 2018, SFAS 87 as they apply it applies to business
8 enterprises in general.

9 *Rulemaking Authority 367.121 FS. Law Implemented 367.121 FS. History--New 11-30-93.*
10 *Amended*.

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1 **25-30.360 Refunds.**

2 (1) Applicability. All refunds under this chapter must ~~shall~~ be made in accordance with
3 this rule, unless another rule in this chapter specifically sets forth the procedure for making
4 refunds. The calculation for overbillings must ~~shall~~ be pursuant to Rule 25-30.350, F.A.C.,
5 and disbursed pursuant to this rule.

6 (2) Timing of Refunds. Refunds must be made within 90 days of the Commission's order
7 unless a different time frame is prescribed by the Commission. A timely motion for
8 reconsideration temporarily stays the refund, pending the final order on the motion for
9 reconsideration. In the event of a stay pending reconsideration, the timing of the refund must
10 ~~shall~~ commence from the date of the order disposing of any motion for reconsideration. This
11 rule does not authorize any motion for reconsideration not otherwise authorized by Chapter
12 25-22, F.A.C.

13 (3) Basis of Refund. When ~~Where~~ the refund is the result of a specific rate change,
14 including interim rate increases, and the refund can be computed on a per customer basis, that
15 will be the basis of the refund. However, when ~~where~~ the refund is not related to specific rate
16 changes, such as a refund for overearnings, the refund must ~~shall~~ be made to customers of
17 record as of a date specified by the Commission. In such case, refunds must ~~shall~~ be made on
18 the basis of usage. Per customer refund refers to a refund to every customer receiving service
19 during the refund period. Customer of record refund refers to a refund to every customer
20 receiving service as of a date specified by the Commission.

21 (4) Interest.

22 (a) When ~~In the case of refunds which~~ the Commission orders refunds to be made with
23 interest, the average monthly interest rate until refund is posted to the customer's account must
24 ~~shall~~ be based on the AA non-financial 30-day ~~30-day~~ commercial paper rate published by the
25 Board of Governors of the Federal Reserve System on its website ~~for high-grade, unsecured~~

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 ~~notes sold through dealers by major corporations in multiples of \$1,000 as regularly published~~
2 ~~in the Wall Street Journal.~~

3 (b) This average monthly interest rate must ~~shall~~ be calculated for each month of the
4 refund period:

5 1. By adding the published interest rate in effect for the last business day of the month
6 prior to each month the refund period and the published rate in effect for the last business day
7 of each month of the refund period divided by 24 to obtain the average monthly interest rate;

8 2. The average monthly interest rate for the month prior to distribution must ~~shall~~ be the
9 same as the last calculated average monthly interest rate.

10 (c) The average monthly interest rate must ~~shall~~ be applied to the sum of the previous
11 month's ending balance (including monthly interest accruals) and the current month's ending
12 balance divided by 2 to accomplish a compounding effect.

13 (d) Interest Multiplier. When the refund is computed for each customer, an interest
14 multiplier can ~~may~~ be applied against the amount of each customer's refund in lieu of a
15 monthly calculation of the interest for each customer. The interest multiplier must ~~shall~~ be
16 calculated by dividing the total amount refundable to all customers, including interest, by the
17 total amount of the refund, excluding interest. For the purpose of calculating the interest
18 multiplier, the utility may, upon approval by the Commission, estimate the monthly refundable
19 amount.

20 (e) Commission staff will ~~shall~~ provide applicable interest rate figures and assistance in
21 calculations under this rule upon request of the affected utility.

22 (5) Method of Refund Distribution. For those customers still on the system, a credit must
23 be made on the bill. In the event the refund is for a greater amount than the bill, the remainder
24 of the credit must ~~shall~~ be carried forward until the refund is completed. If the customer so
25 requests, a check for any negative balance must be sent to the customer within 10 days of the

CODING: Words underlined are additions; words in ~~struck-through~~ type are deletions from
existing law.

1 request. For customers entitled to a refund but no longer on the system, the company must
2 ~~shall~~ mail a refund check to the last known billing address except that no refund for less than
3 \$1.00 will be made to these customers.

4 (6) Security for Money Collected Subject to Refund. In the case of money being collected
5 subject to refund, the money must be secured by a bond unless the Commission specifically
6 authorizes some other type of security such as placing the money in escrow, approving a
7 corporate undertaking, or providing a letter of credit. The company must ~~shall~~ provide a report
8 by the 20th of each month indicating the monthly and total amount of money subject to refund
9 as of the end of the preceding month. The report must ~~shall~~ also indicate the status of whatever
10 security is being used to guarantee repayment of the money.

11 (7) Refund Reports. During the processing of the refund, monthly reports on the status of
12 the refund must be made by the 20th of the following month. In addition, a preliminary report
13 must ~~shall~~ be made within 30 days after the date the refund is completed and again 90 days
14 thereafter. A final report must ~~shall~~ be made after all administrative aspects of the refund are
15 completed. The above reports must specify the following:

- 16 (a) The amount of money to be refunded and how that amount was computed;
17 (b) The amount of money actually refunded;
18 (c) The amount of any unclaimed refunds; and,
19 (d) The status of any unclaimed amounts.

20 (8) Any unclaimed refunds must be treated as cash contributions-in-aid-of-construction.

21 *Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented 367.081, 367.0814,*
22 *367.082(2) FS. History—New 8-18-83, Formerly 25-10.76, 25-10.076, Amended 11-30-93, 11-*
23 *25-19. Amended.*

24

25

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-

DATE: June 2, 2026

TO: Susan Sapoznikoff, Special Counsel, Office of the General Counsel

FROM: Oakley Ward, Public Utility Analyst III, Division of Economics

RE: Docket No. 20260036-OT – Proposed amendment of Rules 25-6.109, Refunds; 25-6.0435, Interim Rate Relief; 25-7.040, Interim Rate Relief; 25-7.091, Refunds; 25-30.117, Accounting for Pension Costs; and 25-30.360, F.A.C., Refunds.

The purpose of this rulemaking is to update the commercial paper rate source to reflect the accurate sourcing of the required information. Additionally, changes made to Rule 25-30.117, Accounting for Pension Costs, F.A.C., reflect updated pension costs standards by the Financial Accounting Standards Board. Finally, minor grammatical adjustments were made to these rules, such as replacing “shall” with “must” and “shall be” for “is.”

The attached Statement of Estimated Regulatory Costs (SERC) addresses economic impacts and considerations required pursuant to Section 120.541, Florida Statutes (F.S.). The SERC analysis indicates that the proposed rule amendments will not likely increase regulatory costs, including any transactional costs or have an adverse impact on business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within five years of implementation. The proposed rule amendments would have no impact on small business, would have no implementation cost to the Commission or other state and local government entities, and would have no impact on small cities or counties.

The SERC concludes that none of the impacts/cost criteria established in Sections 120.541(2)(a), (c), (d), and (e) F.S. will be exceeded as a result of the proposed rule revisions.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-6.109, F.A.C., Refunds

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is “yes,” see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is “yes,” a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: The previous source for the commercial paper rate is no longer available, therefore, the rule needed to be amended to include an accurate source. The source is now the Federal Reserve. This amendment, along with other minor grammatical changes, will have no economic impact.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor-owned electric utilities must comply with this rule.

(2) A general description of the types of individuals likely to be affected by the rule.

This rule affects investor-owned electric utilities.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

☒ No adverse impact on small business.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

☒ No impact on small cities or small counties.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: The amendments to the rule will have no market impact.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-6.0435, F.A.C., Interim Rate Relief

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is “yes,” see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is “yes,” a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: The previous source for the commercial paper rate is no longer available, therefore, the rule needed to be amended to include an accurate source. The source is now the Federal Reserve. This amendment, along with other minor grammatical changes, will have no economic impact.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor-owned electric utilities must comply with this rule.

(2) A general description of the types of individuals likely to be affected by the rule.

This rule affects investor-owned electric utilities.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

☒ No adverse impact on small business.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

☒ No impact on small cities or small counties.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: The amendments to the rule will have no market impact.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-7.040, F.A.C., Interim Rate Relief

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: The previous source for the commercial paper rate is no longer available, therefore, the rule needed to be amended to include an accurate source. The source is now the Federal Reserve. This amendment, along with other minor grammatical changes, will have no economic impact.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Eight investor-owned natural gas utilities must comply with this rule.

(2) A general description of the types of individuals likely to be affected by the rule.

This rule affects investor-owned natural gas utilities.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

☒ No adverse impact on small business.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

☒ No impact on small cities or small counties.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: The amendments to the rule will have no market impact.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-7.091, F.A.C., Refunds

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: The previous source for the commercial paper rate is no longer available, therefore, the rule needed to be amended to include an accurate source. The source is now the Federal Reserve. This amendment, along with other minor grammatical changes, will have no economic impact.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Eight investor-owned natural gas utilities must comply with this rule.

(2) A general description of the types of individuals likely to be affected by the rule.

This rule affects investor-owned natural gas utilities.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

☒ None. To be done with the current workload and existing staff.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

☒ None.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

☒ No adverse impact on small business.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

☒ No impact on small cities or small counties.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: The amendments to the rule will have no market impact.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-30.117, F.A.C., Accounting of Pension Costs

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: The pension costs standards have been updated by the Financial Accounting Standard's Board and this amendment updates these changes. This amendment will have no economic impact.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

111 water utilities and 78 wastewater utilities are required to comply with the rule.

(2) A general description of the types of individuals likely to be affected by the rule.

Water and wastewater utilities (including those that may meet the definition of small businesses in section 288.703(1) F.S.).

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

☒ None. To be done with the current workload and existing staff.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

☒ None.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

☒ No adverse impact on small business.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

☒ No impact on small cities or small counties.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: The amendments to the rule will have no market impact.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-30.360, F.A.C., Refunds

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: The previous source for the commercial paper rate is no longer available, therefore, the rule needed to be amended to include an accurate source. The source is now the Federal Reserve. This amendment, along with other minor grammatical changes, will have no economic impact.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

111 water utilities and 78 wastewater utilities are required to comply with the rule.

(2) A general description of the types of individuals likely to be affected by the rule.

Water and wastewater utilities (including those that may meet the definition of small businesses in section 288.703(1) F.S.).

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

☒ None. To be done with the current workload and existing staff.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

☒ None.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

☒ No adverse impact on small business.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

☒ No impact on small cities or small counties.

- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: The amendments to the rule will have no market impact.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Item 2

FILED 6/24/2026
DOCUMENT NO. 03710-2026
FPSC - COMMISSION CLERK

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-

DATE: June 24, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Office of the General Counsel (Sapoznikoff) *SMC*
Division of Economics (Hampson, Guffey) *EDD*

RE: Docket No. 20260038-OT – Proposed amendment of Rules 25-9.001, Application and Scope; 25-9.004, General Filing Instructions; 25-9.006, Size and Form of Tariffs; 25-9.007, Gas - Electric - Water - Wastewater Utility Tariffs; 25-9.009, Numbering and General Data Required for Each Sheet; 25-9.010, Numbering of Supplements and Additions; 25-9.021, Title Page; 25-9.023, Description of Territory Served; 25-9.029, Index of Rate or Exchange Schedules; 25-9.033, Standard Forms; 25-9.034, Contracts and Agreements, 25-9.045, Withdrawal of Tariffs; 25-9.051, Definitions; 25-9.054, Size and Form of Documentation; 25-9.055, Electric Utility Documentation; 25-9.061, Title Page; and 25-9.069, Standard Forms and Blank Bill Form, F.A.C.

AGENDA: 07/07/26 – Regular Agenda – Rule Proposal – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Ortega

RULE STATUS: Proposal May Be Deferred

CRITICAL DATES: 09/21/26 (Rule must be proposed by this date pursuant to Section 120.54(2)(a)2., F.S.)

SPECIAL INSTRUCTIONS: None

Case Background

In 2025, the Legislature amended Chapter 120, Florida Statutes, to require each agency to review all of its rules over a five-year period. This recommendation addresses the following rules that were identified in the Commission's rule review as part of the rules needing amendment:

- Rule 25-9.001, F.A.C. Application and Scope
- Rule 25-9.004, F.A.C. General Filing Instructions
- Rule 25-9.006, F.A.C. Size and Form of Tariffs
- Rule 25-9.007, F.A.C. Gas - Electric - Water - Wastewater Utility Tariffs
- Rule 25-9.009, F.A.C. Numbering and General Data Required for Each Sheet
- Rule 25-9.010, F.A.C. Numbering of Supplements and Additions
- Rule 25-9.021, F.A.C. Title Page
- Rule 25-9.023, F.A.C. Description of Territory Served
- Rule 25-9.029, F.A.C. Index of Rate or Exchange Schedules
- Rule 25-9.033, F.A.C. Standard Forms
- Rule 25-9.034, F.A.C. Contracts and Agreements
- Rule 25-9.045, F.A.C. Withdrawal of Tariffs
- Rule 25-9.051, F.A.C. Definitions
- Rule 25-9.054, F.A.C. Size and Form of Documentation
- Rule 25-9.055, F.A.C. Electric Utility Documentation
- Rule 25-9.061, F.A.C. Title Page
- Rule 25-9.069, F.A.C. Standard Forms and Blank Bill Form

These rule address the construction and filing of tariffs by public utilities, and include all of the rules in Chapter 25-9, F.A.C., that were not repealed as part of the rulemaking in Docket 20260040-OT,¹ which the Commission considered at the June 2, 2026, Agenda Conference.

The Commission's Notices of Development of Rulemaking were published in Volume 52, Number 57, of the Florida Administrative Register on March 24, 2026. No one requested a workshop. However, the Florida Electric Cooperatives Association (FECA) submitted written comments that are incorporated in the draft amendments.

This recommendation addresses whether the Commission should propose the amendment of Rules 25-9.001, 25-9.004, 25-9.006, 25-9.007, 25-9.009, 25-9.010, 25-9.021, 25-9.023, 25-9.029, 25-9.033, 25-9.034, 25-9.045, 25-9.051, 25-9.054, 25-9.055, 25-9.061, and 25-9.069, F.A.C. The Commission has jurisdiction pursuant to Section 120.54, 350.127(2), 366.05(1), and 367.121, Florida Statutes.

¹ Docket No. 20260040-OT – Proposed amendment of Rules 25-6.003, Definitions; 25-30.255, Measurement of Service for Water Utilities; and 25-30.434, FAC, Application for Allowance for Funds Prudently Invested (AFPI) Charges; and proposed repeal of Rules 25-9.020, Front Cover; 25-9.060, Front Cover; 25-9.071, Back Cover; and 25-30.010, F.A.C., Rules for General Application

Date: June 24, 2026

Discussion of Issues

Issue 1: Should the Commission propose the amendment of Rules 25-9.001, 25-9.004, 25-9.006, 25-9.007, 25-9.009, 25-9.010, 25-9.021, 25-9.023, 25-9.029, 25-9.033, 25-9.034, 25-9.045, 25-9.051, 25-9.054, 25-9.055, 25-9.061, and 25-9.069, F.A.C.?

Recommendation: Yes. The Commission should propose the amendment of Rules 25-9.001, 25-9.004, 25-9.006, 25-9.007, 25-9.009, 25-9.010, 25-9.021, 25-9.023, 25-9.029, 25-9.033, 25-9.034, 25-9.045, 25-9.051, 25-9.054, 25-9.055, 25-9.061, and 25-9.069, F.A.C., as set forth in Attachment A. The Commission should also certify the rules as minor violation rules. (Sapoznikoff, Hampson, Guffey)

Staff Analysis: The purpose of this rulemaking is to amend the rules in Chapter 25-9, F.A.C., to update and clarify the rules to reflect current practice and use. Staff recommends the Commission should propose the amendment of the rules as set forth in Attachment A.

Staff is recommending minor amendments to all the rules to update the rule language to comply with current standards and make them more readable. Staff's recommendations for Rules 25-9.001, 25-9.007, 25-9.009, 25-9.051, 25-9.055, F.A.C., remove references to rules that were repealed as part of the rulemaking in Docket 20260040-OT. In addition, in Rule 25-9.004, F.A.C., staff's recommendations clarify that tariffs may be filed either in hard copy or electronically, and in Rule 25-9.006, F.A.C., staff's recommendations remove reference to obsolete technology and reference current technology. Based on comments from FECA, in Rule 25-9.034, F.A.C., staff's recommendations remove reference to an obsolete organization.

Minor Violation Rule Certification

Pursuant to Section 120.695, F.S., for each rule filed for adoption, the agency head shall certify whether any part of a rule is designated as a rule the violation of which would be a minor violation. Under Section 120.695(2)(b), F.S., a violation of a rule is minor if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. Rules 25-9.001, 25-9.004, 25-9.006, 25-9.007, 25-9.009, 25-9.010, 25-9.021, 25-9.023, 25-9.029, 25-9.033, 25-9.034, 25-9.045, 25-9.051, 25-9.054, 25-9.055, 25-9.061, and 25-9.069, F.A.C., are all currently listed as minor violation rules, and staff recommends that all should remain listed as minor violation rules by the Commission. These rules are minor violation rules because the violation of any of them would not result in economic or physical harm to a person, cause an adverse effect on the public health, safety, or welfare, or create a significant threat of such harm. Therefore, for the purposes of filing the rules for adoption with the Department of State, staff recommends that the Commission certify all the above-mentioned rules as minor violation rules.

Statement of Estimated Regulatory Costs

Section 120.54(3)(b)1., F.S., encourages agencies to prepare a Statement of Estimated Regulatory Costs (SERC) before the adoption, amendment, or repeal of any rule. A SERC was prepared for each rule in this rulemaking and they are appended as Attachment B. As required by Section 120.541(2)(a)1., F.S., the SERC analysis includes whether the rule amendments are individually likely to have an adverse impact on economic growth, private sector job creation or

employment, or private sector investment in excess of \$1 million in the aggregate within five years after implementation.

The SERCs conclude that the amendments of any of the rules will not likely directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in Florida within one year after implementation. Further, the SERCs conclude that the rule amendments will likely not increase regulatory costs, including any transactional costs, or have an adverse impact on business competitiveness, productivity, or innovation, in excess of \$1 million in the aggregate within five years of implementation. Thus, pursuant to Section 120.541(3), F.S., none of the rules require legislative ratification.

In addition, the SERCs do not indicate that the amendment of any of the rules would have an adverse impact on small businesses, would have any implementation or enforcement costs on the Commission or any other state or local government entity, or would have any impact on small cities or small counties. The SERCs state that there will be no transactional costs likely to be incurred by individuals and entities required to comply with the requirements. None of the impact/cost criteria established in Section 120.541(2)(a), F.S., will be exceeded as a result of any of the rules. Finally, the SERCs indicate that there are no market impacts likely to result from compliance with the proposed rules.

Conclusion

Based on the foregoing, staff recommends that the Commission should propose the amendment of Rules 25-9.001, 25-9.004, 25-9.006, 25-9.007, 25-9.009, 25-9.010, 25-9.021, 25-9.023, 25-9.029, 25-9.033, 25-9.034, 25-9.045, 25-9.051, 25-9.054, 25-9.055, 25-9.061, and 25-9.069, F.A.C., as set forth in Attachment A. Staff also recommends the Commission certify all the rules as minor violation rules.

Date: June 24, 2026

Issue 2: Should this docket be closed?

Recommendation: Yes. If no requests for hearing are made or comments from the Joint Administrative Procedures Committee (JAPC) are filed, and no proposals for lower cost regulatory alternatives are submitted pursuant to Section 120.541(1)(a), F.S., then all the rules addressed by this docket should be filed with the Department of State for adoption and the docket should be closed. (Sapoznikoff)

Staff Analysis: If no request for hearing is made or comments from JAPC are filed, and no proposals for a lower cost regulatory alternatives are submitted pursuant to Section 120.541(1)(a), F.S., then all the rules in this docket should be filed with the Department of State for adoption and the docket should be closed.

1 **25-9.001 Application and Scope.**

2 ~~The provisions of Rules 25-9.002 through 25-9.045 shall only~~ apply only to public utilities
3 as defined in subsection 25-9.002(2), F.A.C., and ~~the provisions of Rules 25-9.051 through~~
4 25-9.070 ~~25-9.071~~, F.A.C., ~~shall apply only to a utility municipalities and cooperatives~~ as
5 defined in subsection 25-9.051(2), F.A.C.

6 *Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 366.04(2)(b),*
7 *366.0591), 367.091, 367.101 FS. History-New 1-8-75, Repromulgated 10-22-75. Amended 8-*
8 *9-79. Formerly 25-9.1, Amended 2-23-86, 1-8-95, 1-25-09, 12-30-15,_____.*

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1 **25-9.004 General Filing Instructions.**

2 (1) Each utility must ~~shall~~ file with the Commission, either electronically or with a
3 hardcopy delivered to the Clerk's office, tariffs applicable to all territory served by it, showing
4 all rates, classifications, and charges for service subject to the jurisdiction of the Commission
5 furnished by the utility, and all related rules and regulations, ~~relating thereto~~ except that the
6 rates and charges for a specific item of equipment and/or special service arrangements for an
7 individual customer need not be filed where the utility's tariff provides the basis for such
8 charge.

9 (2) All tariffs, as well as any supplements, revisions, modifications, or changes to any
10 portion must ~~thereof shall~~ be submitted to the Commission ~~in quadruplicate and in the form~~
11 ~~prescribed in these rules herein. After acceptance, one stamped copy will be returned to the~~
12 ~~utility, which shall be the notice to the utility, that the filing has been accepted and approved.~~

13 (3) All tariff-related material submitted to the Commission must be accompanied by a
14 letter of transmittal that lists the sheets being transmitted. If acknowledgment of the filing is
15 requested, the letter of transmittal must be sent in duplicate with a request that the duplicate be
16 returned.

17 ~~(4)~~(3) If a utility furnishes more than one kind of utility service, (e.g., gas and electricity,
18 gas and water, water and wastewater, etc.), a separate tariff must be filed for each kind of
19 service.

20 ~~(4) All tariff-related material submitted to the Commission shall be accompanied by a~~
21 ~~letter of transmittal which lists the sheets being transmitted.~~

22 ~~(5) If acknowledgment of the filing be desired, the letter of transmittal shall be sent in~~
23 ~~duplicate with a request that the duplicate be returned.~~

24 *Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 366.05(1),*
25 *367.091 FS. History—New 1-8-75, Repromulgated 10-22-75, Formerly 25-9.04. Amended*

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

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1 **25-9.006 Size and Form of Tariffs.**

2 ~~(1)~~ All tariffs filed under these rules must ~~shall~~ be submitted in loose leaf form on 8 1/2" x
3 11" sheets, ~~printed~~, typewritten, word-processed, ~~mimeographed~~ or produced by similar
4 process, on a good grade of bond paper of durable quality, using one side of the paper only.
5 All copies must be clear and legible and have a sufficient margin ~~shall be so allowed~~ on each
6 sheet to allow for a left-hand binding edge, so that when the rate book is open all printed
7 matter will be in view.

8 ~~(2) The Commission does not furnish blank forms for rate schedules nor binders for rate~~
9 ~~books. The utility shall supply durable binders for this purpose.~~

10 *Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 366.05(1),*
11 *367.091, 367.121 FS. History—New 1-8-75, Repromulgated 10-22-75, Formerly 25-9.06.*

12 *Amended*.

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25-9.007 Gas - Electric - Water - Wastewater Utility Tariffs.

Tariffs for gas, electric, water, and wastewater utilities must ~~shall consist~~ include, ~~where~~
~~applicable of~~, the following sections, as applicable, in the following order ~~named~~:

	Ref. Rule No.
(1) Front cover	25-9.020
(1)(2) Title page	25-9.021
(2)(3) Table of contents	25-9.022
(3)(4) <u>Description</u> General of the territory served	25-9.023
(4)(5) Miscellaneous	25-9.024
(5)(6) Technical terms and abbreviations	25-9.025
(6)(7) Index of rules and regulations	25-9.026
(7)(8) Rules and regulations	25-9.027
(8)(9) List of communities served	25-9.028
(9)(10) Index of rate schedules	25-9.029
(10)(11) Rate schedules	25-9.030 & 25-9.031
(11)(12) Index of standard forms	25-9.033
(12)(13) Standard forms	25-9.033
(13)(14) Contracts and agreements	25-9.034
(15) Back cover	

Rulemaking Authority 366.05(1), 367.121 FS. Law Implemented 366.05(1), 367.121 FS.
History—New 1-8-75, Repromulgated 10-22-75, Formerly 25-9.07. Amended_____.

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 **25-9.009 Numbering and General Data Required for Each Sheet.**

2 The numbering and general data required by this rule and listed below must ~~shall~~ appear
3 on each sheet in the rate book, except ~~excepting for the front and back covers and the~~
4 individual sheets of special contracts.

5 (1) Every sheet (or page) in the rate book must ~~shall~~ be numbered. While any system that
6 ~~which~~ provides for an orderly arrangement of the tariff is acceptable, ~~it is suggested that,~~ in
7 the interest of uniformity the Commission suggests, ~~all utilities give consideration to the~~
8 following recommended procedures:

9 (a) Those utilities subject to Rule 25-9.001 ~~25-9.007~~, F.A.C., must ~~should~~ employ a
10 decimal system of numbering, so that any new or additional material can ~~may~~ be inserted in
11 the logical place in the proper section of the tariff.

12 (b) Utilities of any classification, ~~the size of whose tariffs are~~ only a limited to relatively
13 few pages, can ~~may, at their option,~~ employ a simple consecutive sheet numbering system.

14 (2) Each sheet must ~~shall~~ bear the name of the utility ~~which shall appear~~ in the upper left-
15 hand corner of the sheet.

16 (3) The first ~~FIRST~~ issue of each sheet in the rate book must be marked "Original Sheet"
17 in the upper right ~~right-hand~~ corner of the sheet. For example ~~As an example:~~
18 Original Sheet No. 1, or Original Sheet No. 5.2.

19 (4) Revised sheets in the rate book must ~~shall~~ be marked with the serial number of the
20 revision in the upper right-hand corner and the number of the sheet it replaces. As an example:

21 First Revised Sheet No. 1

22 Cancels Original Sheet No. 1

23 or

24 Fourth Revised Sheet No. 5.2

25 Cancels Third Revised Sheet No. 5.2

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existing law.

1 (5) The name and title of the issuing officer of the utility must appear at the bottom of each
2 sheet. ~~At the bottom of each sheet shall appear the name and title of the issuing officer of the~~
3 ~~utility.~~

4 *Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 366.05, 367.091*
5 *FS. History—New 1-8-75, Repromulgated 10-22-75, Formerly 25-9.09, Amended 1-25-09,*
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1 **25-9.010 Numbering of Supplements and Additions.**

2 (1) When new or additional service classifications or rate schedules are to be established,
3 the sheets containing such classifications or schedules must ~~shall~~ follow the last sheets in the
4 rate schedule section of the appropriate classification and be given the next consecutive sheet
5 number or numbers. Letter suffixes must ~~shall~~ not be used in numbering service classifications
6 or rate schedules. Instead, an additional decimal point and number must be added when the
7 last number increases sequentially with extra sheets.

8 (2) When revisions or additions to existing schedules or sheets require more space, one or
9 more sheets must ~~shall~~ be issued to which the same sheet number must be given with a letter
10 suffix. ~~For example, if changes are made in Original Sheet No. 5.2 and more than one~~
11 ~~sheet is required to show the changed or new matter, the new sheet~~ must ~~shall~~ be issued as
12 First Revised Sheet No. 5.2.1 A, etc.

13 *Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 366.05(1),*
14 *367.091 FS. History—New 1-8-75, Repromulgated 10-22-75, Formerly 25-9.10. Amended*
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1 **25-9.021 Title Page.**

2 The title sheet ~~must shall~~ identify the volume as the rate book or tariff filed by the
3 particular utility with the Florida Public Service Commission governing the sale of the specific
4 utility service provided. ~~be a repetition of the front cover except that it must shall~~ be marked
5 as Sheet No. 1 of the rate book in the (upper right right-hand corner) and must shall display
6 ~~have thereon the general information required by Rule 25-9.009, F.A.C., of these regulations.~~
7 *Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 366.05(1),*
8 *367.091 FS. History—New 1-8-75, Formerly 25-9.21. Amended.*

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1 **25-9.023 Description of Territory Served.**

2 (1) The utility must provide a ~~A~~ brief, general description and/or map(s) (8 1/2" x 11"

3 inches) of the territory or territories it serves ~~by the utility shall be provided in this section.~~

4 (2) Where the brevity of the description permits, this data can be placed on the title page

5 (Rule 25-9.021, F.A.C., ~~above~~), in which case this section can ~~may~~ be omitted.

6 *Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 364.04,*

7 *366.05(1), 367.121 FS. History—New 1-8-75, Formerly 25-9.23. Amended_____.*

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1 **25-9.029 Index of Rate ~~or Exchange~~ Schedules.**

2 (1) This section must ~~shall~~ provide an index to facilitate prompt reference to any particular
3 rate schedule.

4 (2) When ~~In cases where~~ the rate sections for which this index is provided contain less than
5 twelve (12) sheets, this section can ~~may~~ be omitted.

6 *Rulemaking Authority 350.127(2), 366.05(1), 367.121 FS. Law Implemented 366.05(1),*
7 *367.091 FS. History—New 1-8-75, Formerly 25-9.29, Amended 1-25-09,_____.*

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existing law.

1 **25-9.033 Standard Forms.**

2 (1) An exact copy of all standard forms (uniform contracts, agreements, riders, service
3 applications, service extension agreement or other form), pertaininging to subscribers' ~~and~~/or
4 customers' services, must ~~shall~~ be included in this section.

5 (2) All such forms must ~~shall~~ be given a number so that reference can be made to them.

6 (3) When any such form is changed, altered, or amended, the revised issue must ~~shall~~ be
7 filed with the Commission.

8 (4) In this section, the utility must provide a detailed index of its forms. ~~If such standard~~
9 ~~forms are numerous, this section shall be prefaced with an index as provided in Rule 25-9.008,~~
10 ~~F.A.C.~~

11 *Rulemaking Authority 366.05(1), 367.121 FS. Law Implemented 366.05(1) FS. History—New*
12 *1-8-75, Formerly 25-9.33. Amended*.

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1 **25-9.034 Contracts and Agreements.**

2 (1) ~~When~~ Wherever a utility enters a special contract ~~is entered into by a utility~~ for the sale
3 of its product or services in a manner or subject to the provisions not specifically covered by
4 its filed regulations and standard approved rate schedules, such contract must be approved by
5 the Commission prior to its execution. ~~Accompanying each contract shall be~~ Completed and
6 detailed justification for the deviation from the utility's filed regulations and standard
7 approved rate schedules must accompany each such contract. ~~If the Commission approves~~
8 ~~such special contracts are approved by the Commission,~~ a conformed copy of the contract
9 must ~~shall~~ be placed on file with the Commission before its effective date.

10 The provisions of this rule do ~~shall~~ not apply to contracts or agreements governing the sale or
11 interchange of commodity or product by or between a public utility and a municipal electric
12 utility municipality or R.E.A. a rural cooperative organized under Chapter 425, Florida
13 Statutes ~~but shall otherwise have application.~~

14 (2) Each utility ~~must make provision to~~ file with the Commission a conformed copy of all
15 such special contracts that ~~which~~ are currently in effect but ~~and which~~ have not been
16 previously filed.

17 ~~(3) If the number and size of such special contracts warrant, they may be placed in a~~
18 ~~separate binder.~~

19 *Rulemaking Authority 366.05(1), 367.121 FS. Law Implemented 366.05(1), 367.121 FS.*
20 *History—New 6-27-73, Repromulgated 1-8-75, Formerly 25-9.34.*

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1 **25-9.045 Withdrawal of Tariffs.**

2 (1) Every public utility desiring to withdraw or cancel any tariff or any provision of a tariff
3 which is considered no longer effective or necessary ~~must~~ ~~shall~~ file with the Commission an
4 informal application setting forth its reasons to withdraw or cancel such tariff or tariff
5 provision, ~~and~~ requesting permission to withdraw same, and providing a type-and-strike
6 (legislative) version of the tariffs to be withdrawn.

7 (2) A public utility may also reserve a tariff sheet for future use, rather than withdrawing
8 the sheet entirely.

9 *Rulemaking Authority 364.20, 366.05, 367.121, 368.05 FS. Law Implemented 366.04, 366.06,*
10 *367.081, 367.121, 368.105 FS. History—New 1-8-75, Formerly 25-9.45. Amended.*

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1 **25-9.051 Definitions.**

2 For the purposes of Rules 25-9.051 through 25-9.070 ~~25-9.071~~, F.A.C., the following
3 definitions ~~shall~~ apply:

4 (1) “Commission” refers to the Florida Public Service Commission.

5 (2) “Utility” refers to a the municipal electric utility ~~utilities or and a rural electric~~
6 cooperative organized under Chapter 425, Florida Statutes ~~cooperatives subject to the~~
7 ~~jurisdiction of this Commission pursuant to Section 366.04(2), F.S.~~

8 (3) “Rate” refers to the price or charge for utility service.

9 (4) “Rate schedules” refer to the rate for a particular classification of service and the
10 provisions necessary for billing, including all special terms and conditions under which
11 service shall be furnished at such rate or charge.

12 (5) “Contracts and agreements” refer to the special contracts entered into by the utility for
13 the sale of electricity to consumers in a manner or subject to provisions not specifically
14 covered by its submitted rate schedules.

15 (6) “Documentation” refers to the assembled volume containing the materials required by
16 Rules 25-9.054 through 25-9.070 ~~25-9.071~~, F.A.C.

17 (7) “Rate structure” refers to the classification system used in justifying different rates
18 between various customer classes.

19 (8) “Customer class” refers to any group of customers distinguishable from other
20 customers by load, consumption or other characteristic.

21 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(b) FS. History—New 8-9-79,*
22 *Amended 5-3-83, Formerly 25-9.51, Amended 12-30-15.*

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1 **25-9.054 Size and Form of Documentation.**

2 ~~(1)~~ All documentation filed under these rules must ~~shall~~ be submitted in loose leaf form on
3 8 1/2" × 11" sheets, typewritten, word-processed, ~~mimeographed~~ or produced by similar
4 processes on a good grade of bond paper of durable quality, using one side of the page only.
5 All copies must be clear and legible and have a sufficient margin ~~shall be so allowed across~~ on
6 each sheet to allow for a left-hand binding edge so that when the book is opened all printed
7 material will be in view.

8 ~~(2) The Commission does not furnish blank forms for rate schedules nor binders for rate~~
9 ~~books. The utility shall supply durable binders for this purpose.~~

10 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(b) FS. History—New 8-9-79,*
11 *Formerly 25-9.54. Amended_____.*

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1 **25-9.055 Electric Utility Documentation.**

2 Documentation for electric utilities must ~~shall~~ include, where appropriate, of the following
3 sections, as applicable, in the following order ~~named~~:

4		Reference Rule No.
5	(1) Front Cover	25-9.060
6	<u>(1)(2)</u> Title Page	25-9.061
7	<u>(2)(3)</u> Table of Contents	25-9.062
8	<u>(3)(4)</u> General Description of Territory Served	25-9.063
9	<u>(4)(5)</u> Miscellaneous	25-9.064
10	<u>(5)(6)</u> List of Communities Served	25-9.065
11	<u>(6)(7)</u> Index of Rate Schedules	25-9.066
12	<u>(7)(8)</u> Rate Schedules	25-9.067
13	<u>(8)(9)</u> Standard Forms	25-9.069
14	<u>(9)(10)</u> Contracts and Agreements	25-9.070
15	(11) Back Cover	25-9.071

16 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(b) FS. History—New 8-9-79,*
17 *Formerly 25-9.55. Amended _____.*

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1 **25-9.061 Title Page.**

2 The title page must ~~shall~~ identify the volume as the rate book or tariff filed by the
3 particular utility with the Florida Public Service Commission governing the sale of the specific
4 utility service provided. ~~be a repetition of the front cover except that it must shall be marked~~
5 as Sheet No. 1 of the rate book in the (upper right corner) and must ~~shall display have thereon~~
6 the general information required by Rule 25-9.056, F.A.C. ~~of these regulations.~~
7 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(b) FS. History—New 8-9-79,*
8 *Formerly 25-9.61. Amended.*

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1 **25-9.069 Standard Forms and Blank Bill Form.**

2 An exact copy of all standard forms ~~and a blank bill form of each schedule~~ must will be
3 shown.

4 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(b) FS. History—New 8-9-69,*
5 *Formerly 25-9.69. Amended _____.*

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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-

DATE: May 29, 2026

TO: Susan Sapoznikoff, Special Counsel, Office of the General Counsel

FROM: Christopher Nguyen, Public Utility Analyst I, Division of Economics
Patrick Kelley, Public Utility Analyst II, Division of Economics

RE: Docket No. 20260038-OT: Statement of Estimated Regulatory Costs (SERC) for Proposed amendment of Rules 25-9.001, Application and Scope; 25-9.004, General Filing Instructions; 25-9.006, Size and Form of Tariffs; 25-9.007, Gas - Electric - Water - Wastewater Utility Tariffs; 25-9.009, Numbering and General Data Required for Each Sheet; 25-9.010, Numbering of Supplements and Additions; 25-9.021, Title Page; 25-9.023, Description of Territory Served; 25-9.029, Index of Rate or Exchange Schedules; 25-9.033, Standard Forms; 25-9.034, Contracts and Agreements; 25-9.045, Withdrawal of Tariffs; 25-9.051, Definitions; 25-9.054, Size and Form of Documentation; 25-9.055, Electric Utility Documentation; 25-9.061, Title Page; and 25-9.069, F.A.C., Standard Forms and Blank Bill Form

The purpose of this rulemaking is to propose updates and clarifications to Rules 25-9.001, Application and Scope; 25-9.004, General Filing Instructions; 25-9.006, Size and Form of Tariffs; 25-9.007, Gas - Electric - Water - Wastewater Utility Tariffs; 25-9.009, Numbering and General Data Required for Each Sheet; 25-9.010, Numbering of Supplements and Additions; 25-9.021, Title Page; 25-9.023, Description of Territory Served; 25-9.029, Index of Rate or Exchange Schedules; 25-9.033, Standard Forms; 25-9.034, Contracts and Agreements; 25-9.045, Withdrawal of Tariffs; 25-9.051, Definitions; 25-9.054, Size and Form of Documentation; 25-9.055, Electric Utility Documentation; 25-9.061, Title Page; and 25-9.069, F.A.C., Standard Forms and Blank Bill Form. The proposed rulemaking is necessitated by the statutory rule review mandated by Section 120.5435, Florida Statutes (F.S.).

Rules 25-9.001, 25-9.004, 25-9.006, 25-9.007, 25-9.009, 25-9.023, 25-9.029, 25-9.033, 25-9.034, 25-9.051, 25-9.054, and 25-9.069, F.A.C. have minor changes to provide clearer standards for utility tariffs and tariff filings, while considering current Commission and industry practice. The proposed language in these rules has also been revised to further conform with the Commission's other rules, such as replacing "shall" with "must."

Rules 25-9.010, 25-9.021, 25-9.045, 25-9.055, and 25-9.061, F.A.C., have more notable proposed changes in addition to the previously mentioned minor changes. Rule 25-9.010 is proposed to add detail on how to properly number service classifications on rate schedules. This is already standard practice with tariff filings. Rules 25-9.021 and 9.061 are proposed to include

language that defines what the title page should include because that information is currently supposed to be included on the front cover. The front cover is not typically included, with companies filing with this information on their title page instead. Rule 25-9.045, F.A.C. has the proposed addition of language requiring a type-and-strike version of the tariffs to be provided when requesting withdrawal of tariff sheets. There is also proposed language about a utility reserving a tariff sheet for future use, rather than withdrawing the sheet entirely. This is already standard practice with tariff filings. Finally, the front cover and back cover requirement in Rule 25-9.055, F.A.C., are proposed to be deleted because the rules requiring that documentation is proposed to be repealed.

The proposed amended rules would not result in negative fiscal impacts to the electric investor owned utilities, electric cooperatives, municipal utilities, water, and wastewater utilities, as discussed in the attached SERCs. No regulatory alternatives were submitted pursuant to Section 120.541(1)(a), F.S. by any affected entity. None of the impacts/cost criteria established in Section 120.541(2)(a)-(e), F.S., will be exceeded as a result of the proposed revisions to the rules.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.001 Application and Scope

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing required education, training, or testing.

Discussion and Analysis of Market Impacts: N/A

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.004 General Filing Instructions

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is “yes,” see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is “yes,” a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing required education, training, or testing.

Discussion and Analysis of Market Impacts: N/A

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.006 Size and Form of Tariffs

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing required education, training, or testing.

Discussion and Analysis of Market Impacts: N/A

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.007 Gas – Water – Wastewater Utility Tariffs

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is “yes,” see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is “yes,” a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing required education, training, or testing.

Discussion and Analysis of Market Impacts: N/A

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.009 Numbering and General Data Required for Each Sheet

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is “yes,” see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is “yes,” a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing required education, training, or testing.

Discussion and Analysis of Market Impacts: N/A

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.010 Numbering of Supplements and Additions

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is “yes,” see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is “yes,” a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing required education, training, or testing.

Discussion and Analysis of Market Impacts: N/A

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.021 Title Page

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing required education, training, or testing.

Discussion and Analysis of Market Impacts: N/A

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.023 Description of Territory Served

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing required education, training, or testing.

Discussion and Analysis of Market Impacts: N/A

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.029 Index of Rate Schedules

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

☒ None. To be done with the current workload and existing staff.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing required education, training, or testing.

Discussion and Analysis of Market Impacts: N/A

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.033, F.A.C., Standard Forms

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

☒ None. To be done with the current workload and existing staff.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

☒ None. The rule will only affect the agency.

☐ Minimal. Provide a brief explanation.

☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated

population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: There should be no change regarding market impacts because the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.034, F.A.C., Contracts and Agreements

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated

population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: There should be no change regarding market impacts because the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.045, F.A.C., Withdrawal of Tariffs

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated

population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: There should be no change regarding market impacts because the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.051, F.A.C., Definitions

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is “yes,” see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is “yes,” a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated

population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: There should be no change regarding market impacts because the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.054, F.A.C., Size and Form of Documentation

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated

population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: There should be no change regarding market impacts because the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.055, F.A.C., Electric Utility Documentation

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth Yes ☐ No ☒

Private-sector job creation or employment Yes ☐ No ☒

Private-sector investment Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes ☐ No ☒

Productivity Yes ☐ No ☒

Innovation Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated

population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: There should be no change regarding market impacts because the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.061, F.A.C., Title Page

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is “yes,” see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is “yes,” a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Four investor owned electric utilities, 18 electric cooperatives, 34 municipal electric utilities, four natural gas utilities, 124 water utilities, and 86 wastewater utilities under the purview of the PSC are required to comply with the rule. The utilities will incur no change in costs from the proposed rule revisions.

(2) A general description of the types of individuals likely to be affected by the rule.

Utilities, small businesses (water and wastewater utilities that may meet the definition in section 288.703(1) F.S.), and the Division of Economics staff at the PSC may be affected by the proposed rule revisions.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" may include the following: filing fees; expenses to obtain a license; necessary equipment; installation, utilities for, and maintenance of necessary equipment; necessary operations or procedures; accounting, financial, information management, and other administrative processes; labor, based on relevant wages, salaries, and benefits; materials and supplies; capital expenditures, including financing costs; professional and technical services, including contracted services necessary to implement and maintain compliance; monitoring and reporting; qualifying and recurring education, training, and testing; travel; insurance and surety requirements; a fair and reasonable allocation of administrative costs and other overhead; reduced sales or other revenue; or other items suggested by the rules ombudsman in the Executive Office of the Governor or by any interested person, business organization, or business representative. [120.541(2)(d), F.S.]

- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- ☒ No adverse impact on small business.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated

population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

1. Changes to customer charges for goods or services.
2. Changes to the market value of goods and services produced, provided, or sold.
3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: There should be no change regarding market impacts because the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Florida Public Service Commission
STATEMENT OF ESTIMATED REGULATORY COSTS
Rule 25-9.069, F.A.C., Standard Forms and Blank Bill Form

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.]
(See Section E. below for definition of small business.)

Yes ☐

No ☒

If the answer to Question 1 is "yes," see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes ☐

No ☒

If the answer to either question above is "yes," a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

- (1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes ☐ No ☒

Private-sector job creation or employment

Yes ☐ No ☒

Private-sector investment

Yes ☐ No ☒

- (2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes ☐ No ☒

Productivity

Yes ☐ No ☒

Innovation

Yes ☐ No ☒

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes ☐ No ☒

Economic Analysis: There should be no change regarding regulatory costs as the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

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C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the agency to implement and enforce the rule.

- ☒ None. To be done with the current workload and existing staff.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- ☒ None. The rule will only affect the agency.
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- ☐ Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- ☒ None.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

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- ☒ None. The rule will only affect the agency.
- ☐ Minimal. Provide a brief explanation.
- ☐ Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, small counties, and small cities: [120.541(2)(e), F.S.]

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- ☐ Other. Provide an explanation for estimate and methodology used.

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population of 75,000 or less according to the most recent decennial census.

- ☒ No impact on small cities or small counties.
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- ☐ Other. Provide an explanation for estimate and methodology used.

F. In evaluating the impacts described in paragraphs A and E, include a discussion, if applicable, of the market impacts likely to result from compliance with the proposed rule, including: [120.541(2)(f), F.S.]

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3. Changes to costs resulting from the purchase of substitute or alternative goods or services.
4. The reasonable value of time to be spent by owners, officers, operators, and managers to understand and comply with the proposed rule, including, but not limited to, time to be spent completing requiring education, training, or testing.

Discussion and Analysis of Market Impacts: There should be no change regarding market impacts because the proposed rule amendments only change the language to provide clearer standards and to better consider the current Commission and industry practice.

G. Any additional information that the agency determines may be useful. [120.541(2)(g), F.S.]

- ☒ None.

Additional Information:

H. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(h), F.S.]

- ☒ No regulatory alternatives were submitted.
- ☐ A regulatory alternative was received from
- ☐ Adopted in its entirety.
- ☐ Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

Item 3

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-

DATE: June 24, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Office of the General Counsel (Crawford, Newman) *JSC*
Division of Engineering (Brown) *L/K*
Office of Consumer Assistance (Kendrick) *AK*

RE: Docket No. 20260045-EI – Formal complaint of Justin Gage against Duke Energy Florida, LLC for alleged violations of Commission rules, orders, and statutes governing electric utility safety standards, compliance certifications, and truthfulness in Commission filings.

AGENDA: 07/07/26 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Clark

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

On October 17, 2025, Mr. Justin Gage (Mr. Gage) filed Informal Complaint No 1488062E, alleging that a PME-4 switchgear unit¹ administered by Duke Energy Florida, LLC (DEF) located near his house was out of compliance with the National Electrical Safety Code (NESC). In particular, Mr. Gage alleged that the PME-4 unit had missing or improper safety stickers, was improperly sealed at the base, and that the door of the unit was too close to nearby bushes to be fully opened.

¹ A switchgear is composed of electrical disconnect switches, fuses, or circuit breakers used to control, protect, and isolate electrical equipment.

Mr. Gage had previously been in contact with DEF regarding the PME-4. On September 4, 2025, Mr. Gage reported that a loud boom had come from the PME-4. A DEF technician arrived onsite and confirmed that Mr. Gage had power. At that time Mr. Gage raised his concerns with the PME-4 with the technician. The technician told Mr. Gage that his concerns would be investigated and put a safety sticker on the unit. A DEF investigation found that the PME-4 was in compliance with the NESC and that Mr. Gage was not served by that PME-4 but by a nearby transformer. Mr. Gage then filed an informal complaint with the Commission under Rule 25-22.032, Florida Administrative Code (F.A.C.).

While the informal complaint was being processed at the Commission, Mr. Gage also filed a complaint with the Occupational Safety and Health Administration (OSHA). OSHA reached out to DEF about the complaint and a DEF Supervisor and Safety Professional examined the PME-4 on November 25, 2025. They found no OSHA or NESC violations. On or about that date, DEF removed the bushes that were near the PME-4. In early December OSHA informed Mr. Gage that his case was being closed because the bushes were removed.

On January 6, 2026, Commission engineering safety staff examined the PME-4 unit and found no violations of the NESC. Mr. Gage was unsatisfied and the matter was referred to the Commission's Process Review Team (PRT) for review. In March, Commission staff advised Mr. Gage that his informal complaint had been reviewed by the PRT, and it did not appear that DEF had violated any Commission statutes, rules, orders, or its tariff in its handling of the matter, and that the Commission did not have jurisdiction to award damages.

On March 27, 2026, Mr. Gage filed a formal complaint against DEF under Rule 25-22.036(3)(b), F.A.C., alleging the same material facts contained in his informal complaint. The formal complaint asserts that the PME-4 unit was out of compliance with the NESC from September 2025 to December 2025. Mr. Gage further alleges that DEF made false or misleading statements to the Commission regarding the PME-4's compliance, and that Commission staff failed to properly review his informal complaint.

On April 3, 2026, DEF filed a Motion to Dismiss the Complaint. DEF asserts that the complaint does not comply with Rule 25-22.036, F.A.C., because the complaint fails to contain competent substantial evidence that any action taken by DEF constitutes a violation of any applicable statute, rule, Commission order, or the company tariff. Further, DEF denies that it made any false statements to the Commission. On April 6, Mr. Gage filed a response, asserting that the complaint sets forth photographic evidence of NESC violations.²

This recommendation addresses whether DEF's Motion to Dismiss the Complaint should be granted and the appropriate disposition of Mr. Gage's complaint against DEF. The Commission has jurisdiction over this matter pursuant to Section 366.04., Florida Statutes (F.S.).

² Mr. Gage's OSHA complaint and the referenced photographs are attached to his formal complaint, Document No. 01812-2026, filed March 27, 2026, in Docket No. 20260045-EI.

Date: June 24, 2026

Discussion of Issues

Issue 1: Should the Commission grant DEF's Motion to Dismiss?

Recommendation: No, the Commission should deny DEF's Motion. (Newman, Crawford)

Staff Analysis:

Legal Standard

To sustain a motion to dismiss, the moving party must show that, accepting all allegations as true, the petition fails to state a cause of action for which relief may be granted. *Varnes v. Dawkins*, 624 So. 2d 349, 350 (Fla. 1st DCA 1993). The moving party must specify the grounds for the motion to dismiss, and all material allegations must be construed against the moving party in determining if the petitioner has stated the necessary allegations. A determination of the petition's sufficiency is confined to the petition and the documents incorporated therein and the grounds asserted in the motion to dismiss. *Id.* All allegations in the petition must be viewed as true and in the light most favorable to the petitioner in order to determine whether there is a cause of action upon which relief may be granted. *Id.*

Rule 25-22.036., F.A.C., prescribes the elements that must be contained in a formal complaint:

1. The rule, order, or statute that has been violated;
2. The actions that constitute the violation;
3. The name and address of the person against whom the complaint is lodged; and
4. The specific relief requested, including any penalty sought.

Formal Complaint

Mr. Gage's formal complaint states that DEF violated three Rules: Rule 25-6.0345, F.A.C., which adopts the 2023 NESC as the applicable safety standards for transmission and distribution facilities; Rule 25-6.039, F.A.C., which requires utilities to establish safe work practices; and Rule 25-6.0346, which requires utilities to submit quarterly reports certifying work order compliance with all applicable safety standards. To support these claims, Mr. Gage supplied photographs purporting to show the violations with explanatory text.

DEF's Motion to Dismiss

DEF's Motion to Dismiss states that the complaint "fails to provide competent or substantial evidence" that any of DEF's actions violate any rule. DEF states that it has repeatedly inspected the PME-4 and have found no NESC violations. DEF further states that it has never made false or misleading statements to the Commission regarding the inspections of the PME-4. Mr. Gage's response to DEF's Motion to Dismiss reiterates the claims made in the formal complaint about the physical condition of the PME-4.

Date: June 24, 2026

Analysis

The Commission has previously held pro se litigants such as Mr. Gage to a relaxed pleading standard, in order to prevent delay and promote resolution of litigants' claims. Staff believes the petition states a cause of action related to the safety compliance of DEF facilities, which is under Commission jurisdiction as provided under Section 366.04(6), F.S. Staff believes that the factual allegations contained in Mr. Gage's complaint are sufficiently clear to show which of DEF's actions Mr. Gage believes violated Commission rules. The complaint and accompanying photographs show how Mr. Gage believes the PME-4 was out of compliance with the NESC. Mr. Gage alleges insufficient clearance for the PME-4's door and improper safety labelling.

Staff believes that these allegations relate to DEF's compliance with Commission safety standards and that the facts and documentation in the docket sufficiently state a cause of action for the Commission to make a determination on the formal complaint, as discussed in Issue 2. Therefore, staff recommends that DEF's Motion to Dismiss should be denied.

Date: June 24, 2026

Issue 2: What is the appropriate disposition of Mr. Gage's complaint?

Recommendation: Staff recommends that Mr. Gage's formal complaint should be denied. It does not appear that DEF violated its Commission-approved tariff or any statutes, rules, or orders of the Commission in the condition or maintenance of the PME-4 unit. (Newman, Crawford)

Staff Analysis: Pursuant to Rule 25-22.036(2), F.A.C., a complaint is appropriate when a person complains of an act or omission by a person subject to Commission jurisdiction that affects the complainant's substantial interests and that is in violation of a statute enforced by the Commission, or of any Commission rule or order. As discussed below, Mr. Gage's petition fails to show that DEF violated any rules, statutes, orders, or its tariff in the condition or maintenance of the PME-4 unit.

Formal Complaint

Mr. Gage's formal complaint states that DEF violated three rules: Rule 25-6.0345, F.A.C., which adopts the 2023 NESC as the applicable safety standards for transmission and distribution facilities; Rule 25-6.039, F.A.C., which requires utilities to establish safe work practices; and Rule 25-6.0346, F.A.C., which requires utilities to submit quarterly reports certifying work order compliance with all applicable safety standards. Mr. Gage alleges the PME-4 unit was not in compliance with the NESC in three ways: the unit lacked the proper safety stickers, the base was improperly sealed, and the door had insufficient clearance. Mr. Gage claims that DEF was aware of the noncompliance on September 4, 2025, but denied the fact to the Commission and refused to bring the unit into compliance. Mr. Gage states the PME-4 was noncompliant from September 2025 to December 2025, at which point DEF brought the unit into compliance under pressure from OSHA. Mr. Gage further states that Commission staff failed to properly review his complaint.

Analysis

Based on the information provided, it does not appear that DEF violated a statute, rule, order, or applicable provision of DEF's Commission-approved tariff. Section 25-6.0345, F.A.C., states that "[t]he safety standards prescribed by the 2023 National Electrical Safety Code (NESC) C2-2023, are adopted and incorporated by reference into this rule as the applicable safety standards for transmission and distribution facilities subject to the Commission's jurisdiction." The other potential rule violations, including DEF's alleged false statements to the Commission, depend on finding that DEF violated the NESC.

The PME-4 unit was inspected at least three times. First, on September 4, 2025, a DEF technician responded to Mr. Gage's report of a loud boom coming from the unit, and Mr. Gage raised his concerns with the DEF technician. At that time, the technician examined the unit, logged Mr. Gage's complaints, and placed a new safety sticker on the unit.³ DEF's investigation at that time found no NESC violations; in particular, it found that the unit was properly sealed

³ NESC Rule 381G requires that a prominent and appropriate safety sign should be visible when the first door or barrier is opened or removed. National Electrical Safety Code, IEEE Std C2-2023 (New York: IEEE, 2023), Rule 381G.

Date: June 24, 2026

and that the unit could be safely accessed. Second, on November 25, 2025, a DEF Supervisor and Safety Professional inspected the PME-4 and found no NESC or OSHA violations. At that time DEF put new safety stickers on the unit and notified the HOA that the bushes near the unit were being removed “to satisfy Mr. Gage’s complaint.” Third, on January 6, 2026, Commission staff inspected the unit and found that it was in good condition and well maintained. Commission staff found no NESC violations.

Staff does not believe that DEF violated the NESC. Multiple inspections by DEF technicians and Commission staff failed to find any violations of the NESC. In his complaint, Mr. Gage fails to identify which provisions of the NESC he believes were violated. DEF put new safety stickers on the unit and removed the nearby bushes to satisfy Mr. Gage; staff believes these actions appear to resolve Mr. Gage’s concerns with the PME-4, as the formal complaint acknowledges the unit was brought into compliance in December. OSHA did not conclude that DEF violated the NESC, merely closing its case after the conditions Mr. Gage complained about were removed. Mr. Gage also alleges that Commission staff improperly investigated his complaint. Mr. Gage does not explain how Commission staff improperly reviewed his complaint or how Commission staff improperly used its discretion. Staff does not believe that DEF violated a statute, rule, order, or applicable provision of DEF’s Commission-approved tariff in the condition or maintenance of the PME-4 unit; therefore, the complaint should be denied.

Conclusion

Staff recommends that Mr. Gage’s formal complaint should be denied. It does not appear that DEF violated its Commission-approved tariff or any statutes, rules, or orders of the Commission in the condition or maintenance of the PME-4 unit.

Date: June 24, 2026

Issue 3: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order. (Newman, Crawford)

Staff Analysis: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

Item 4

FILED 6/24/2026
DOCUMENT NO. 03713-2026
FPSC - COMMISSION CLERK

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-

DATE: June 24, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Office of Industry Development and Market Analysis (Williams, Fogleman)^{CH}
Office of the General Counsel (Imig, Stiller)^{SPS}

RE: Docket No. 20260042-TP – Commission approval of Florida Telecommunications Relay, Inc.'s fiscal year 2026/2027 proposed budget.

AGENDA: 07/07/26 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Ortega

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

The Telecommunications Access System Act of 1991 (TASA) established a statewide telecommunications relay system. Under TASA, the Florida Public Service Commission (Commission) must establish, implement, promote, and oversee the statewide telecommunications access system, which is intended to provide telecommunications service for deaf, hard of hearing, or speech impaired persons that is functionally equivalent to the service provided to hearing persons. TASA provides for the purchase and distribution of specialized telecommunications devices and specialized communications technology as defined in Chapter 427, Florida Statutes (F.S.).

The telecommunications access system provides deaf or hard of hearing persons access to basic telecommunications services by using a specialized Communications Assistant that relays information between the deaf or hard of hearing person and the other party to the call. The

primary function of the telecommunications access system is accomplished using a Telecommunications Device for the Deaf (TDD). The person using the TDD types a message to the Communications Assistant who in turn voices the message to the other party or types the message to a Captioned Telephone that displays real-time captions of the conversation.

In 2025, the Legislature amended Sections 427.702 through 427.706, F.S. relating to TASA.¹ These statutory changes added newly defined specialized communications technology and requires the Commission to set eligibility requirements for this distribution. Section 427.704(e), F.S. mandates that the eligibility requirements be based on income qualifications of no less than double, but no more than triple, the federal poverty level, or participation in other state or federal programs based on income. The Commission adopted rules setting these eligibility criteria, which became effective on December 2, 2025. The eligibility requirements in the rule include income of less than 250 percent of the federal poverty level, or participation in the Supplemental Nutrition Assistance Program, Medicaid, Supplemental Security Income, the Section 8 Housing Choice Voucher Program, or receipt of either a Veterans Pension or Survivors Pension from the Department of Veterans Affairs.

Florida Telecommunications Relay, Inc. (FTRI), a nonprofit corporation formed by the local exchange telephone companies, was selected by the Commission to serve as the telecommunications access system administrator. FTRI is primarily responsible for the purchase and distribution of specialized telecommunications equipment and specialized communications technology. As part of this process, FTRI contracts with other organizations to assist in the distribution of equipment and provide customer training on the proper use of the equipment and the relay service. FTRI also conducts marketing to raise awareness of available equipment and relay service. Finally, FTRI pays the Telecommunications Relay Service (TRS) provider, which is selected by the Commission through a request for proposals process. The current TRS provider is T-Mobile USA, Inc. (T-Mobile).

FTRI is funded through the TRS surcharge, which local exchange telecommunications companies are required to collect and remit to FTRI. The Commission has historically changed the surcharge to meet FTRI's budgetary needs. The monthly surcharge is currently \$0.08 per access line, for up to 25 lines per customer.

As part of its oversight responsibilities of the telecommunications access system, the Commission reviews and approves a budget submitted by FTRI on an annual basis. On March 16, 2026, FTRI submitted its Fiscal Year 2026/2027 budget. On May 29, 2026, FTRI submitted responses to staff's first data request along with a revised budget for the Commission's consideration, which is included as Attachment A. FTRI provided a comparison of its proposed budget to the Commission-approved 2025/2026 budget, as well as its estimated revenue and expenses for the current fiscal year. FTRI estimated its revenue and expenses based on actual data from the first two quarters and estimated data for the remainder of the year.

On May 29, 2026, FTRI also filed third quarter financial information. With this updated information, staff formulated an estimate of FTRI's expenses for Fiscal Year 2025/2026, which is reflected in Attachment B.

¹ See Chapter 2025-148, Laws of Florida.

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This recommendation addresses FTRI's proposed budget and recommended TRS surcharge for Fiscal Year 2026/2027. The TRS surcharge is the only rate the Commission establishes for telecommunications companies. The Commission is vested with jurisdiction over this matter pursuant to Chapter 427, F.S.

Date: June 24, 2026

Discussion of Issues

Issue 1: Should the Commission approve FTRI's proposed Fiscal Year 2026/2027 budget as presented in Attachment A?

Recommendation: Yes. Staff recommends the Commission approve FTRI's proposed budget expense of \$4,694,189 for Fiscal Year 2026/2027, effective upon issuance of the consummating order. Staff recommends the Commission allow FTRI to transfer \$2,454,849 from the Reserve Account to offset the projected revenue shortfall. (Williams, Fogleman, Imig, Stiller)

Staff Analysis:

Traditional Telecommunications Relay Service

Traditional TRS cost as approved in the T-Mobile contract is currently \$2.58 per session minute. T-Mobile's projections indicate traditional TRS minutes of use during Fiscal Year 2026/2027 will be 297,506. By comparison, T-Mobile's projections for traditional TRS minutes of use for Fiscal Year 2025/2026 was 467,554. Further, TRS usage totaled 510,081 actual minutes in Fiscal Year 2024/2025, representing a 14 percent decline from Fiscal Year 2023/2024 actual minutes.

Based on continued advancements in technology and the expansion of consumer choice, it is anticipated that TRS minutes of use will continue to decline. It has been observed that traditional TRS users are transitioning to the following services:

- IP Relay
- IP CTS
- Wireless Service

Florida Telecommunications Relay, Inc. Budget

Attachment A reflects FTRI's Fiscal Year 2026/2027 proposed budget filed with the Commission, which was reviewed and adopted by FTRI's Board of Directors. FTRI proposed maintaining the current \$.08 surcharge per access line, which would result in total surcharge revenue of \$1,565,015. FTRI projected \$674,325 in interest income during Fiscal Year 2026/2027 through investments in its Investment Trust Money Market account and 3-month T-bills. As a result, FTRI's total operating revenue was estimated to be \$2,239,340. FTRI's proposed budget projected total expenses of \$4,694,189. Based on FTRI's projected revenue and expenses, it would need to transfer \$2,454,849 from the Reserve Account to offset the shortfall. FTRI has a Reserve Account of approximately \$19,723,369 million.

Analysis

The two primary factors contributing to FTRI's proposed budget shortfall are continued declines in access lines, upon which the surcharge is assessed, and the increase in Category II - Equipment & Repairs expense related to distribution of specialized communications technology. Proposed surcharge revenue is projected to decline by \$373,569 compared to last year's approved budget because of continued declines in access lines. Expenses related to the distribution of specialized communications technology are projected to be \$1,786,100.

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Staff developed an estimate of FTRI's expenses for Fiscal Year 2025/2026, which is presented in Attachment B. Staff used actual data from the first three quarters and took an average of those three quarters to estimate the fourth. Staff's estimates were then used as one element in evaluating FTRI's proposed budget, along with analyzing past Commission-approved FTRI budgets to identify and evaluate ongoing cost reduction measures.

Below is staff's review of selected items from FTRI's proposed budget expenses by category.

Category I – Relay Services

Category I captures TRS provider expenses for traditional TRS currently provided by T-Mobile. The Commission and FTRI have historically used the TRS provider's minutes of use forecast to develop the budget for this category.

Staff recommends using T-Mobile's forecasted 297,506 minutes of use to calculate the TRS provider expense. At the contracted rate of \$2.58 per minute, the proposed TRS provider expense is \$767,564.

Staff recommends approval of \$767,564 for relay services expense.

Category II – Equipment & Repairs

Category II expenses reflect the purchase of equipment to be distributed to clients and the repairs that FTRI must make to keep the equipment in working order. FTRI requested \$1,978,503 for Fiscal Year 2026/2027, representing a \$1,503,194 increase in expense from the current Commission-approved budget. The proposed increase is largely attributed to planned distribution of newly defined specialized communications technology authorized by amendments to Chapter 427, F.S., that were enacted by the Legislature in 2025.

The specialized communications technology line item proposes a \$1,786,100 Fiscal Year 2026/2027 expenditure for iPhones, iPads, and ATOS electrolarynx devices. The ATOS electrolarynx device is designed to assist persons with total laryngectomy, which is the removal of the voice box to treat throat cancer. In addition to standard eligibility criteria related to hearing loss and speech disability, this equipment is only available to Florida residents whose income does not exceed 250 percent of the federal poverty level, or who participate in other income-based programs as described above.

FTRI's Fiscal Year 2026/2027 proposed budget estimate is based on current unit cost and projected device distribution volumes, including assumptions on the size of the addressable client base. The current projection includes 705 iPhone devices at \$1,620 per unit (\$1,142,100), 470 large screen iPad devices at \$1,300 per unit (\$611,000), and 30 ATOS electrolarynx at \$1,100 per unit, (\$33,000).

In response to staff's data request, FTRI indicated that it relied on data from the Florida Coordinating Council for the Deaf and Hard of Hearing (FCCDHH) and other reputable organizations to develop its demand projections. FCCDHH is overseen by the Florida

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Department of Health. FTRI's projected number of units starts with the identification of 900,000 residents who identify as Deaf, Hard of Hearing, or Speech Impaired, assumes that approximately 29 percent meet the income requirements, and estimates that 3 percent of those do not already have access to a wireless device that meets their needs. Applying FTRI's logic yields 7,830 eligible Florida residents who may apply for equipment in any given year. FTRI anticipates 15 percent of this target population will submit a completed application in FY 2026/2027, resulting in 1,175 Apple units being distributed. The projected quantity of ATOS Emote devices to be distributed in Fiscal Year 2026/2027 is 30. This calculation is based on 10,000 people in the US living with total laryngectomy and 6.9 percent of the US population living in Florida. This equates to 690 Florida residents with total laryngectomy. Applying the same income assumptions as other wireless device projections, 200 Florida residents would qualify in any given year. Continuing with the conservative planning estimate of serving 15 percent of the target population, 30 units would be distributed in the upcoming fiscal year.

According to the 2025 FCCDHH Biennial Report, it is estimated that 3 to 4 million Floridians have significant hearing loss. FTRI also reported that of those, approximately 800,000 identify as Deaf or Hard of Hearing according to sources such as the Florida Department of State DLIS Deaf Literacy Center. According to the NIH National Institute on Deafness and Other Communication Disorders, approximately 7.2 percent of US children ages 3-17 have a disorder related to voice, speech, or language. Similarly, 7.6 percent of US adults report having a voice problem that lasted longer than 12 months. Given Florida's population, this equates to over 1.7 million residents who have some form of speech-related disability. For the purposes of this initial projection, FTRI used a conservative estimate of approximately 100,000 residents who may identify as having a qualifying speech impairment, including 690 with total laryngectomy.

FTRI projected that approximately 12 percent of Florida residents live below the federal poverty level and 34 percent of households are classified as asset limited, income constrained and employed. Eligibility requirements are currently set at less than 250 percent of the federal poverty level and, as a result, FTRI estimates that 29 percent would satisfy program eligibility income requirements. Smartphones are common across income levels, with access to at least one device ranging from 79–98 percent based on income. Cellphone and Smartphone ownership for US adults with household income of \$30,000-\$69,900 is also 98 percent and 89 percent respectively. Considering these factors, FTRI used a conservative estimate of 3 percent of Florida residents who may not already have access to a wireless device that meets their needs.

In total, FTRI projects 1,205 units to be distributed at a total cost of \$1,786,100 for Fiscal Year 2026/2027. Staff does not recommend an adjustment to FTRI's projections and budget request. However, given FTRI's reliance on demand assumptions, along with the potential for fraud, it is important that FTRI remain diligent. FTRI states that clients are required to adhere to the Conditions of Acceptance regarding the use of the devices. Condition of Acceptance five requires clients to return devices when no longer needed. In addition, FTRI should require devices be returned when clients no longer meet income or program participation requirements. FTRI should also implement a practice to verify client income and program eligibility when issuing replacement devices. Staff recommends the Commission order FTRI to file monitoring reports on the distribution of iPhones and iPads as discussed in Issue 2 of this recommendation.

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Staff recommends approval of \$1,978,503 for equipment and repairs expense.

Category III – Equipment Distribution & Training

Category III reflects the cost of distributing equipment and training consumers in the use of that equipment. FTRI's proposed budget requests \$149,554 for distribution and training, which reflects a \$39,011 decrease from the current Commission-approved budget.

Expenses related to Regional Distribution Centers (RDCs) are the largest component of Category III expenses. FTRI's proposed budget for RDCs is \$109,504, which is \$36,436 lower than the current Commission-approved budget. FTRI explained that some RDCs have not fully recovered from the impact of the COVID-19 shutdown. FTRI plans to continue exploring alternative partnerships to expand distribution services for selected equipment. However, FTRI will distribute the newly defined specialized communications technology devices using in-house resources and does not currently plan to use third parties. Staff supports this approach considering the challenges related to initial implementation.

Staff recommends approval of FTRI's proposed budget for Category III expenses of \$149,554.

Category IV – Outreach

Outreach efforts are designed to promote FTRI's equipment distribution services and to raise awareness about TRS. FTRI's proposed Fiscal Year 2026/2027 Outreach budget increased by \$19,028 over the 2025/2026 Commission-approved budget.

Factors contributing to the increase in Outreach Expense include the hiring of a Community Coordinator, travel expenses, and advertising price increases. FTRI employs various forms of communication in its outreach strategy. FTRI plans to expand outreach efforts, including continued advertising in newspapers using free-standing insert ads (flyers) and television. Expanded promotion may have additional value to inform qualifying relay customers about new types of equipment that are available.

Staff recommends approval of FTRI's proposed budget of \$653,309 for Outreach expenses.

Category V – General & Administrative

Category V reflects expenses associated with FTRI's operations, such as office and furnishings, employee compensation, contracted services (auditing, legal, IT consulting), computers, and other operating expenses. FTRI is proposing \$1,145,259 for Fiscal Year 2026/2027, which represents a \$15,030 decrease from the current Commission-approved budget.

The amount budgeted for Fiscal Year 2026/2027 Insurance-Health/Life/Disability account shows a \$39,302 increase from Fiscal Year 2025/2026 estimated expenditures. FTRI estimated a 10 percent increase in insurance premiums. It based this increase in consultation with its insurance company, along with historical costs over the past two years.

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The proposed Employee Salaries budget for Fiscal Year 2026/2027 is \$551,721, which is relatively unchanged from the 2025/2026 budget. Eight full-time employees were budgeted for both Fiscal Years.

Staff recommends approval of FTRI's proposed budget of \$1,145,259.

Revenue Shortfall

If staff's recommendation is approved, FTRI's Fiscal Year 2026/2027 budget will have a shortfall of \$2,454,849. As the Commission has approved in recent years, staff believes it is appropriate to draw upon the Reserve Account to cover the shortfall. FTRI's Reserve Account is approximately \$19,723,369 million.

Conclusion

Staff recommends the Commission approve FTRI's proposed budget expense of \$4,694,189 for Fiscal Year 2026/2027, effective upon issuance of the consummating order. Staff recommends the Commission allow FTRI to transfer \$2,454,849 from the Reserve Account to offset the projected revenue shortfall. (Williams, Fogleman, Imig, Stiller)

Date: June 24, 2026

Issue 2: Should the Commission order FTRI to file quarterly reports for Fiscal Year 2026/2027 providing details on specialized communications technology device distribution?

Recommendation: Yes. Staff recommends the Commission order FTRI to file quarterly reports for Fiscal Year 2026/2027 providing details on specialized communications technology device distribution. (Williams, Fogleman, Imig, Stiller)

Staff Analysis: As discussed in Issue 1, based on FTRI's reliance on demand assumptions, along with the potential for fraud and abuse, it is important that FTRI implement effective procedures. Staff presented questions to FTRI during the initial analysis of operating procedures, cost, and assumptions used to measure demand. Staff believes FTRI's responses were reasonable. However, continued monitoring will be needed to validate assumptions and to collect data to address distribution issues should they arise.

Staff recommends the quarterly reports include the following information regarding specialized communications technology devices:

1. Number of devices ordered by type.
2. Number of devices distributed by type.
3. Number of devices in inventory by type.
4. Number of devices reported lost by type.
5. Number of devices reported stolen by type.
6. Number of devices returned damaged by type.
7. Number of devices refurbished and returned to clients by type.
8. Number returned by clients and taken out of service.
9. Quarterly and year-to-date expenses.
10. Any revisions to the methodology and/or assumptions used to identify the addressable client base.

Staff will evaluate the data throughout Fiscal Year 2026/2027 and make a recommendation on the need to continue the quarterly reporting during the analysis of FTRI's Fiscal Year 2027/2028 budget filing.

Staff recommends the Commission order FTRI to file quarterly reports for Fiscal Year 2026/2027 providing details on specialized communications technology device distribution.

Date: June 24, 2026

Issue 3: Should the Commission maintain the current Telecommunications Relay Service (TRS) surcharge of \$0.08 per line, per month for Fiscal Year 2026/2027?

Recommendation: Yes. Staff recommends the Commission maintain the current TRS surcharge of \$0.08 per line, per month for Fiscal Year 2026/2027. Staff recommends the Commission order all local exchange companies to continue billing the \$0.08 TRS surcharge for Fiscal Year 2026/2027. (Williams, Fogleman, Imig, Stiller)

Staff Analysis: FTRI has not requested a change in the TRS surcharge. Staff would note that pursuant to the 2025 amendments to TASA, Section 427.704(4)(e), F.S., now prohibits the Commission from increasing the surcharge when excess funds are available. Staff believes the current TRS surcharge of \$0.08 per line, per month is reasonable given the size of the Reserve Account identified in Issue 1.

Date: June 24, 2026

Issue 4: Should this docket be closed?

Recommendation: No. If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be placed in monitoring status during Fiscal Year 2026/2027 upon the issuance of a consummating order. (Imig, Stiller)

Staff Analysis: At the conclusion of the protest period, if no protest is filed this docket should be placed in monitoring status upon the issuance of a consummating order, for the purpose of receiving the quarterly reports regarding specialized communications technology devices to be filed during Fiscal Year 2026/2027 as recommended in Issue 2.

Florida Telecommunications Relay, Inc.
Fiscal Year 2026/2027 Budget at 8 cents surcharge

	2025/2026 APPROVED BUDGET	2025/2026 ESTIMATED REV & EXPEND	2026/2027 PROPOSED BUDGET	Estimated to Budget VARIANCE 2025/2026 2026/2027	Budget to Proposed VARIANCE 2025/2026 2026/2027
OPERATING REVENUE					
1 Surcharges	1,938,584	1,778,426	1,565,015	(213,411)	(373,569)
2 Interest Income	831,138	681,841	674,325	(7,516)	(156,813)
TOTAL OPERATING REVENUE	2,769,722	2,460,267	2,239,340	(220,927)	(530,382)
OTHER REVENUE/FUNDS					
3 Reserve Funds	19,938,352	20,091,952	19,723,369	(368,583)	(214,983)
TOTAL REVENUE	22,708,074	22,552,219	21,962,709	(589,510)	(745,365)
OPERATING EXPENSES					
CATEGORY I - RELAY SERVICES					
4 DPR Provider	1,206,289	698,324	767,564	69,240	(438,725)
SUBTOTAL-CATEGORY I	1,206,289	698,324	767,564	69,240	(438,725)
CATEGORY II - EQUIPMENT & REPAIRS					
5 TTY/TDD	0	0	0	0	0
6 Caption Call Equipment	113,000	45,200	56,500	11,300	(56,500)
7 VCP Hearing Impaired	226,803	54,666	45,394	(9,272)	(181,409)
8 VCP Speech Impaired	25,600	0	0	0	(25,600)
9 TeliTalk Speech Aid	22,100	22,100	22,100	0	0
10 Specialized Comm. Technology	0	99,560	1,786,100	1,686,540	1,786,100
11 In-Line Amplifier	23,157	20,898	10,129	(10,769)	(13,028)
12 ARS Signaling Equip	0	0	0	0	0
13 VRS Signaling Equip	34,293	45,202	27,924	(17,278)	(6,369)
14 Accessories & Supplies	10,500	10,500	10,500	0	0
15 Telecomm Equip Repair	19,856	10,287	19,856	9,569	0
SUBTOTAL-CATEGORY II	475,309	308,413	1,978,503	1,670,090	1,503,194
CATEGORY III - EQUIPMENT DISTRIBUTION & TRAINING					
16 Freight-Telecomm Equip	42,157	37,007	39,582	2,575	(2,575)
17 Regional Distr Centers	145,940	114,285	109,504	(4,781)	(36,436)
18 Training Expense	468	468	468	0	0
SUBTOTAL-CATEGORY III	188,565	151,760	149,554	(2,206)	(39,011)

Florida Telecommunications Relay, Inc.
Fiscal Year 2026/2027 Budget at 8 cents surcharge

	2025/2026 APPROVED BUDGET	2025/2026 ESTIMATED REV & EXPEND	2026/2027 PROPOSED BUDGET	Estimated to Budget VARIANCE 2025/2026 2026/2027	Budget to Proposed VARIANCE 2025/2026 2026/2027
CATEGORY IV - OUTREACH					
19 Outreach Expense	634,281	634,281	653,309	19,028	19,028
SUBTOTAL-CATEGORY IV	634,281	634,281	653,309	19,028	19,028
CATEGORY V - GENERAL & ADMINISTRATIVE					
20 Advertising	0	0	0	0	0
21 Accounting/Auditing	29,950	30,993	30,194	(799)	244
22 Legal	33,991	27,598	23,844	(3,754)	(10,147)
23 Computer Consultation	27,899	29,073	30,000	927	2,101
24 Bank Charges	38,690	39,225	40,000	775	1,310
25 Dues & Subscriptions	5,866	3,204	4,500	1,296	(1,366)
26 Office Equipment Purchase	6,505	7,145	7,005	(140)	500
27 Office Equipment Lease	1,871	1,586	1,813	227	(58)
28 Insurance-Hlth/Life/Dsblty	148,831	104,006	143,308	39,302	(5,523)
29 Insurance-Other	15,415	14,574	15,244	670	(171)
30 Office Expense	14,902	14,937	15,250	313	348
31 Postage	3,200	2,360	2,500	140	(700)
32 Printing	1,000	959	1,000	41	0
33 Rent	95,133	95,504	96,054	550	921
34 Utilities	5,825	6,058	6,240	182	415
35 Retirement	104,312	97,476	105,451	7,975	1,139
36 Employee Salaries	552,193	503,285	551,721	48,436	(472)
37 Taxes - Payroll	39,350	34,612	40,977	6,365	1,627
38 Taxes - Unemplmt Comp	70	63	70	7	0
39 Taxes - Licenses	61	61	61	0	0
40 Telephone	19,520	15,099	16,987	1,888	(2,533)
41 Travel & Business	8,500	1,896	2,500	604	(6,000)
42 Equipment Maint.	1,205	1,223	1,500	277	295
43 Employee Training/Dev	0	0	3,040	3,040	3,040
44 Meeting & Interpreter Exp	6,000	5,135	6,000	865	0
SUBTOTAL-CATEGORY V	1,160,289	1,036,072	1,145,259	109,187	(15,030)
TOTAL EXPENSES	3,664,733	2,828,850	4,694,189	1,865,339	1,029,456
REVENUE LESS EXPENSES	19,043,341	19,723,369	17,268,520	(2,454,849)	(1,774,821)

Florida Telecommunications Relay, Inc.
Fiscal Year 2026/2027 Budget at 8 cents surcharge

	2025/2026	2025/2026	2026/2027	Estimated to Budget	Budget to Proposed
	APPROVED	ESTIMATED	PROPOSED	VARIANCE	VARIANCE
	BUDGET	REV & EXPEND	BUDGET	2025/2026	2025/2026
				2026/2027	2026/2027
OPERATING REVENUE LESS EXP.	(895,011)	(368,583)	(2,454,849)		

Last Update: 5/29/26

STAFF'S BUDGET COMPARISON

	2025/2026 APPROVED BUDGET	2025/2026 FTRI ESTIMATED	2025/2026 FPSC STAFF ESTIMATED	2026/2027 FTRI PROPOSED BUDGET	2026/2027 FPSC STAFF PROPOSED BUDGET
REVENUE					
Surcharge	1,938,584	1,778,426	1,778,426	1,565,015	1,565,015
Interest	831,138	681,841	681,841	674,325	674,325
TOTAL OPERATING REVENUE	2,769,722	2,460,267	2,460,267	2,239,340	2,239,340
Surplus Account	19,938,352	20,091,952	20,091,952	19,723,369	19,723,369
TOTAL REVENUE	22,708,074	22,552,219	22,552,219	21,962,709	21,962,709

OPERATING EXPENSES

CATEGORY I - RELAY SERVICES					
DPR Provider	1,206,289	698,324	746,640	767,564	767,564
SUBTOTAL CATEGORY I	1,206,289	698,324	746,640	767,564	767,564
CATEGORY II - EQUIPMENT & REPAIRS					
TDD Equipment	0	0		0	0
Caption Call Equipment	113,000	45,200	17,507	56,500	56,500
VCP Hearing Impaired	226,803	54,666	44,272	45,394	45,394
VCP Speech Impaired	25,600	0	0	0	0
TeliTalk Speech Aid	22,100	22,100	14,733	22,100	22,100
Specialized Comm. Technology	0	99,560	11,680	1,786,100	1,786,100
In Line Amplifier	23,157	20,898	9,363	10,129	10,129
ARS-Signaling Equipment	0	0	0	0	0
VRS-Signaling Equipment	34,293	45,202	29,468	27,924	27,924
Accessories & Supplies	10,500	10,500	14,180	10,500	10,500
Telecom Equipment Repair	19,856	10,287	9,405	19,856	19,856
SUBTOTAL CAT II	475,309	308,413	150,608	1,978,503	1,978,503
CATEGORY III - EQUIPMENT DISTRIBUTION & TRAINING					
Freight - Telecomm Equipment	42,157	37,007	38,920	39,582	39,582
Regional Distribution Centers	145,940	114,285	110,205	109,504	109,504
Training Expense for RDCs	468	468	624	468	468
SUBTOTAL CAT III	188,565	151,760	149,749	149,554	149,554
CATEGORY IV - OUTREACH					
Outreach Expense	634,281	634,281	357,011	653,309	653,309
SUBTOTAL CAT IV	634,281	634,281	357,011	653,309	653,309

STAFF'S BUDGET COMPARISON

	2025/2026 APPROVED BUDGET	2025/2026 FTRI ESTIMATED	2025/2026 FPSC STAFF ESTIMATED	2026/2027 FTRI PROPOSED BUDGET	2026/2027 FPSC STAFF PROPOSED BUDGET
CATEGORY V - GENERAL AND ADMINISTRATIVE					
Advertising	0	0	0	0	0
Accounting/Audit	29,950	30,993	35,541	30,194	30,194
Legal	33,991	27,598	21,769	23,844	23,844
Consultation-Computer	27,899	29,073	5,200	30,000	30,000
Bank Charges	38,690	39,225	39,735	40,000	40,000
Dues/Subscriptions	5,866	3,204	3,771	4,500	4,500
Office Equipment Purchase	6,505	7,145	6,693	7,005	7,005
Office Equipment Lease	1,871	1,586	1,995	1,813	1,813
Insurance -Health/Life/Disability	148,831	104,006	104,009	143,308	143,308
Insurance-Other	15,415	14,574	14,489	15,244	15,244
Office Expense	14,902	14,937	14,563	15,250	15,250
Postage	3,200	2,360	3,880	2,500	2,500
Printing	1,000	959	432	1,000	1,000
Rent	95,133	95,504	95,307	96,054	96,054
Utilities	5,825	6,058	6,324	6,240	6,240
Retirement	104,312	97,476	82,824	105,451	105,451
Employee Salaries	552,193	503,285	477,252	551,721	551,721
Taxes - Payroll	39,350	34,612	35,235	40,977	40,977
Taxes - Unemployment Comp	70	63	67	70	70
Taxes - Licenses	61	61	0	61	61
Telephone	19,520	15,099	14,789	16,987	16,987
Travel & Business Expense	8,500	1,896	461	2,500	2,500
Equipment Maintenance	1,205	1,223	1,147	1,500	1,500
Employee Training	0	0	0	3,040	3,040
Meeting & Interpreter Expense	6,000	5,135	3,613	6,000	6,000
SUBTOTAL CAT V	1,160,289	1,036,072	969,096	1,145,259	1,145,259
TOTAL EXPENSES	3,664,733	2,828,850	2,373,104	4,694,189	4,694,189
REVENUES LESS EXPENSES	-895,011	-368,583	87,163	-2,454,849	-2,454,849

Item 5

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-

DATE: June 26, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Accounting and Finance (Vogel, Gatlin, Holloway) *MC*
Division of Engineering (P. Buys, Thompson, Ramos) *LVK*
Office of the General Counsel (Brownless, Crawford) *JSC*

RE: Docket No. 20240149-EI – Petition for limited proceeding for recovery of incremental storm restoration costs related to Hurricanes Debby, Helene, and Milton, by Florida Power & Light Company.

AGENDA: 07/07/26 – Regular Agenda – Proposed Agency Action; Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Ortega

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

On October 29, 2024, Florida Power & Light Company (FPL or Company) filed a petition for a limited proceeding seeking authority to implement an interim storm restoration recovery charge to recover \$1.2 billion for the incremental restoration costs related to Hurricanes Debby, Helene, and Milton (the Storms), as well as the replenishment of its retail storm reserve. Included in the \$1.2 billion is interest charged on the unrecovered balance of storm restoration costs resulting from the Storms. On December 17, 2024, the Commission approved Order No. PSC-2024-0503-PCO-EI, which authorized the Company to implement the interim storm restoration recovery charge subject to refund.

On August 13, 2025, FPL and the Office of Public Counsel (OPC) agreed that FPL would have PricewaterhouseCoopers (PwC) conduct an audit of the Company's storm costs related to Hurricane Milton.¹ The parties stated that the purpose of the third party audit is to reduce the need for discovery in the pending and future storm dockets. Additionally, the parties agreed that the third party audit in this docket would avoid the need for future similar audits as long as there are not any substantive material changes in procedures or the Commission's rules and requirements. On October 20, 2025, an amended agreement was filed to substitute Deloitte & Touch LLP (Deloitte) as the third-party audit firm to conduct the independent examination of the Company's storm costs associated with Hurricane Milton.² On June 18, 2026, FPL and OPC filed Stipulations resolving potential issues in this docket, attached to this recommendation. Staff's recommendation addresses these Stipulations (Issue 16), as well as the remaining issues needing resolution by the Commission.

The Commission has jurisdiction over this matter pursuant to Sections 366.04, 366.05, 366.06, and 366.076, Florida Statutes (F.S.).

¹ Document No. 07883-2025, Docket No. 20240149-EI

² Document No. 14694-2025, Docket No. 20240149-EI

Discussion of Issues

Issue 1: Should the incremental cost and capitalization approach (ICCA) found in Rule 25-6.0143, Florida Administrative Code (F.A.C), be used to determine the reasonable and prudent amounts to be included in the restoration costs?

Recommendation: Yes, the ICCA approach in Rule 25-6.0143, F.A.C., should be used to determine the reasonable and prudent amounts included in the storm restoration costs. (Holloway)

Staff Analysis: Rule 25-6.0143, F.A.C., requires the ICCA methodology be used in determining the costs to be charged to cover storm related damages. Therefore, the ICCA approach should be used to determine the reasonable and prudent amounts included in the storm restoration costs.

Issue 2: What is the reasonable and prudent amount of regular payroll expense to be included in the total storm related restoration costs?

Recommendation: The reasonable and prudent amount of payroll expense to be included in the total storm restoration costs is \$19.083 million. (Holloway)

Staff Analysis: Rule 25-6.0143(1)(e)8., F.A.C., states that “overtime payroll and payroll related costs for the utility personnel included in storm restoration activities” are allowed to be charged to the reserve under the ICCA methodology. Staff believes that the full amounts calculated by FPL are allowable under Rule 25-6.0143, F.A.C.

As stated in FPL witness Mohamed’s testimony, the Company utilized multiple levels of review to ensure the reasonableness and prudence of each cost associated with the Storms. In preparation for the incoming storms, FPL sent email communications to all business units with pertinent information regarding the listing of all applicable Work Breakdown Structures (WBSs) by function and location, guidance on payroll, and guidance on the type of costs eligible to be charged to storm WBSs. In order to ensure procedural compliance and prudent spending for the duration of the storms, Finance Section Chiefs were assigned to each staging area and processing site. Additionally, FPL’s Human Resources Department was available at many sites to assist employees with their timesheets. Further, FPL had a storm controllership performed by each business unit, which was reviewed by FPL’s Accounting Department for reasonableness, and for classifying and recording each cost into the appropriate account: storm reserve, base Operations and Maintenance (O&M) expense, capital, and below-the-line expense.

Witness Mohamed testified that regular payroll and related payroll overheads for FPL employees represent time spent in direct support of storm restoration and exclude any bonuses and incentive compensation. The reasonable and prudent regular payroll expenses for each storm are listed below.

Table 2-1
Regular Payroll Expense

Storm	Amount (Million)
Debby	\$3.018
Helene	4.730
Milton	<u>11.335</u>
Total	<u>\$19.083 Million</u>

Source: Exhibits AM-1, AM-2, and AM-3

The Commission’s auditing staff reviewed Deloitte’s work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton, which was the subject of the Deloitte audit. Therefore, staff recommends the costs for all of the hurricanes are reasonable and prudent.

The reasonable and prudent amount of regular payroll expense to be included in the total storm restoration costs is \$19.083 million.

Issue 3: What is the reasonable and prudent amount of overtime payroll expense to be included in the total storm related restoration costs?

Recommendation: The reasonable and prudent amount of overtime payroll expenses to be included in the total storm restoration costs is \$44.762 million. (Holloway)

Staff Analysis: As discussed in Issue 2, the Company utilized multiple levels of review to ensure the reasonableness and prudence of each cost associated with the Storms.

Witness Mohamed also testified that the overtime payroll and related payroll tax overheads for FPL employees include time spent in direct support of storm restoration. The reasonable and prudent overtime payroll expenses for each storm are listed below.

Table 3-1
Overtime Payroll Expense

Storm	Amount (Million)
Debby	\$8.650
Helene	11.174
Milton	<u>24.938</u>
Total	<u>\$44.762 Million</u>

Source: Exhibits AM-1, AM-2, and AM-3

The Commission's auditing staff reviewed Deloitte's work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton, which was the subject of the Deloitte audit. Therefore, staff recommends the costs for all of the hurricanes are reasonable and prudent.

The reasonable and prudent amount of overtime payroll expense to be included in the total storm restoration costs is \$44.762 million.

Issue 4: What is the reasonable and prudent amount of contractor costs to be included in the total storm related restoration costs?

Recommendation: The reasonable and prudent amount of contractor costs to be included in total storm restoration costs is \$624.764 million. (P. Buys)

Staff Analysis: Per FPL witness Jarro, contractor costs include costs related to external line contractors, mutual assistance utilities, FPL embedded contractors, and contractors performing overhead line patrols and environmental assessments. These costs also include mobilization and de-mobilization costs.³ Pursuant to Rule 25-6.0143(1)(e)1., F.A.C., contractor costs may be charged to the storm reserve under the ICCA methodology. FPL witness Mohamed explained that FPL determined the amount of non-incremental contractor costs by calculating the prior three-year average for the months in which storm restoration activities were incurred, and compared it to the actual contractor costs incurred in the month in which storm restoration work was performed.⁴

When asked why the contractor costs were updated from the petition to witness Mohamed's testimony, FPL stated that the changes reflect the normal and expected variances from the preliminary estimated costs to the final recorded costs after completion of restoration, invoice review, cost validation, and application of incremental costing and capitalization methodologies, as required by Rule 25-6.0143, F.A.C.⁵ The reasonable and prudent total contractor costs for each storm are listed below.

Table 4-1
Contractor Costs

Storm	Amount (Million)
Debby	\$51.638
Helene	101.605
Milton	<u>471.521</u>
Total	<u>\$624.764 Million</u>

Source: Exhibits AM-1, AM-2, and AM-3

The Commission's auditing staff reviewed Deloitte's work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton, which was the subject of the Deloitte audit.⁶ Therefore, staff recommends the costs for all of the hurricanes are reasonable and prudent.

The reasonable and prudent amount of contractor costs to be included in total storm restoration costs is \$624.764 million.

³ Document No. 15505-2025

⁴ Document No. 15506-2025

⁵ Document No. 03064-2026

⁶ Document No. 02783-2026

Issue 5: What is the reasonable and prudent amount of line clearing costs to be included in the total storm related restoration costs?

Recommendation: The reasonable and prudent amount of line clearing costs to be included in total storm restoration costs is \$202.020 million. (P. Buys)

Staff Analysis: Per FPL witness Jarro, line clearing costs consist of costs related to vegetation contractors, including mobilization and de-mobilization costs.⁷ FPL witness Mohomed explained that since FPL recovers all actual vegetation costs through the Storm Protection Plan Cost Recovery Clause, an ICCA adjustment under Rule 25-6.0143(1)(e)11., F.A.C., is not required. All vegetation management costs charged to the storm accounts are considered incremental.⁸

When asked why the line clearing costs were updated from the petition to witness Mohomed's testimony, FPL stated that the changes reflect the normal and expected variances from the preliminary estimated costs to the final recorded costs after completion of restoration, invoice review, cost validation, and applications of incremental costing and capitalization methodologies, as required by Rule 25-6.0143, F.A.C.⁹ The reasonable and prudent total line clearing costs for each storm are listed below.

Table 5-1
Line Clearing Costs

Storm	Amount (Million)
Debby	\$23.066
Helene	30.649
Milton	<u>148.305</u>
Total	\$202.020 Million

Source: Exhibits AM-1, AM-2, and AM-3

The Commission's auditing staff reviewed Deloitte's work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton.¹⁰ Therefore, staff recommends the costs for all of the hurricanes are reasonable and prudent.

The reasonable and prudent amount of line clearing costs to be included in total storm restoration costs is \$202.020 million.

⁷ Document No. 15505-2025

⁸ Document No. 15506-2025

⁹ Document No. 03064-2026

¹⁰ Document No. 02783-2026

Issue 6: What is the reasonable and prudent amount of vehicle and fuel costs to be included in the total storm related restoration costs?

Recommendation: The reasonable and prudent amount of vehicle and fuel costs to be included in total storm restoration costs is \$32.417 million. (P. Buys)

Staff Analysis: Per FPL witness Jarro, vehicle and fuel costs include vehicle utilization and fuel costs for FPL and contractor vehicles used during storm restoration efforts.¹¹ FPL witness Mohomed explained that all FPL-owned vehicle costs charged to the storm reserve are considered non-incremental under the ICCA methodology. Pursuant to Rule 25-6.0143(1)(e)9., F.A.C., fuel costs may be charged to the storm reserve under the ICCA methodology. Witness Mohomed explained that FPL determined the amount of non-incremental fuel costs by calculating the prior three-year average for the months in which storm restoration activities were incurred, and compared it to the actual fuel costs incurred in the month in which storm restoration work was performed.¹²

When asked why the vehicle and fuel costs were updated from the petition to witness Mohomed's testimony, FPL stated that the changes reflect the normal and expected variances from the preliminary estimated costs to the final recorded costs after completion of restoration, invoice review, cost validation, and applications of incremental costing and capitalization methodologies, as required by Rule 25-6.0143, F.A.C.¹³ The reasonable and prudent total vehicle and fuel costs for each storm are listed below.

Table 6-1
Vehicle and Fuel Costs

Storm	Amount (Million)
Debby	\$3.898
Helene	6.456
Milton	<u>22.063</u>
Total	<u>\$32.417 Million</u>

Source: Exhibits AM-1, AM-2, and AM-3

The Commission's auditing staff reviewed Deloitte's work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton.¹⁴ Therefore, staff recommends the costs for all of the hurricanes are reasonable and prudent.

The reasonable and prudent amount of vehicle and fuel costs to be included in total storm restoration costs is \$32.417 million.

¹¹ Document No. 15505-2025

¹² Document No. 15506-2025

¹³ Document No. 03064-2026

¹⁴ Document No. 02783-2026

Issue 7: What is the reasonable and prudent amount of materials and supplies expense to be included in the total storm related restoration costs?

Recommendation: The reasonable and prudent amount of materials and supplies expense to be included in total storm restoration costs is \$56.059 million. (P. Buys)

Staff Analysis: Per FPL witness Jarro, materials and supplies expenses include items such as wire, transformers, poles, and other electrical equipment used during storm restoration efforts.¹⁵ As shown on Exhibits AM-1 through AM-3, there were no ICCA adjustments found to be made for materials and supplies costs.¹⁶

When asked why the materials and supplies costs were updated from the petition to witness Jarro's testimony, FPL stated that the changes reflect the normal and expected variances from the preliminary estimated costs to the final recorded costs after completion of restoration, invoice review, cost validation, and applications of incremental costing and capitalization methodologies, as required by Rule 25-6.0143, F.A.C.¹⁷ The reasonable and prudent total materials and supplies expenses for each storm are listed below.

Table 7-1
Materials and Supplies Expense

Storm	Amount (Million)
Debby	\$3.111
Helene	9.309
Milton	43.639
Total	\$56.059 Million

Source: Exhibits AM-1, AM-2, and AM-3

The Commission's auditing staff reviewed Deloitte's work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton.¹⁸ Therefore, staff recommends the costs for all of the hurricanes are reasonable and prudent.

The reasonable and prudent amount of materials and supplies expense to be included in total storm restoration costs is \$56.059 million.

¹⁵ Document No. 15505-2025

¹⁶ Document No. 15506-2025

¹⁷ Document No. 03064-2026

¹⁸ Document No. 02783-2026

Issue 8: What is the reasonable and prudent amount of logistics costs to be included in the total storm related restoration costs?

Recommendation: The reasonable and prudent amount of logistics costs to be included in total storm restoration costs is \$182.369 million. (P. Buys)

Staff Analysis: Per FPL witness Jarro, logistics costs include costs related to staging and processing sites, meals, lodging, buses, transportation, and rental equipment used by employees and contractors during storm restoration efforts.¹⁹ As shown on Exhibits AM-1 through AM-3, there were no ICCA adjustments found to be made for logistics costs.²⁰

When asked why the logistics costs were updated from the petition to witness Jarro's testimony, FPL stated that the changes reflect the normal and expected variances from the preliminary estimated costs to the final recorded costs after completion of restoration, invoice review, cost validation, and applications of incremental costing and capitalization methodologies, as required by Rule 25-6.0143, F.A.C.²¹ The reasonable and prudent total logistics costs for each storm are listed below.

Table 8-1
Logistics Costs

Storm	Amount (Million)
Debby	\$11.889
Helene	25.771
Milton	144.709
Total	\$182.369 Million

Source: Exhibits AM-1, AM-2, and AM-3

The Commission's auditing staff reviewed Deloitte's work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton.²² Therefore, staff recommends the costs for all of the hurricanes are reasonable and prudent.

The reasonable and prudent amount of logistics costs to be included in total storm restoration costs is \$182.369 million.

¹⁹ Document No. 15505-2025

²⁰ Document No. 15506-2025

²¹ Document No. 03064-2026

²² Document No. 02783-2026

Issue 9: What is the reasonable and prudent amount of other costs to be included in the total storm related restoration costs?

Recommendation: The reasonable and prudent amount of other costs to be included in the total storm restoration costs is \$14.742 million. (Holloway)

Staff Analysis: As stated previously, the Company utilized multiple levels of review to ensure the reasonableness and prudence of each cost associated with the Storms. Witness Mohamed stated that other costs included payroll and related overhead from affiliate personnel directly supporting storm restoration. Included in the other cost category is the cost for assistance provided to employees during the Storms labeled as employee assistance in the amounts of \$58,000, \$115,000, and \$362,000, for Hurricanes Debby, Helene, and Milton, respectively. These costs are considered non-incremental under the ICCA methodology and the adjustments to remove these costs from the recoverable storm costs are reflected in Exhibits AM-1 through AM-3. The reasonable and prudent amount of other costs for each storm are listed below.

Table 9-1
Other Costs

Storm	Amount (Million)
Debby	\$1.910
Helene	3.227
Milton	9.605
Total	\$14.742 Million

Source: Exhibits AM-1, AM-2, and AM-3

The Commission's auditing staff reviewed Deloitte's work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton. Therefore, staff recommends the costs for all of the hurricanes are reasonable and prudent.

The reasonable and prudent amount of other costs to be included in the total storm restoration costs is \$14.742 million.

Issue 10: What is the reasonable and prudent total amount of costs to be included in the total storm related restoration costs?

Recommendation: The reasonable and prudent amount of total expenses to be included in the total storm restoration costs is \$1,176 million (\$1.176 billion). (Holloway)

Staff Analysis: Based on staff's recommendations in Issues 2 through 9, the reasonable and prudent amounts of incurred storm restoration costs for each storm are listed below.

Table 10-1
Total Expense

Storm	Amount (Million)
Debby	\$107.180
Helene	192.922
Milton	876.115
Total	<u>\$1,176 Million</u>

Source: Exhibits AM-1, AM-2, and AM-3

The reasonable and prudent amount of total expenses to be included in the total storm restoration costs is \$1.176 billion.

Issue 11: What is the reasonable and prudent amount of storm-related costs that should be capitalized?

Recommendation: The reasonable and prudent amount of storm-related costs that should be capitalized is \$131.091 million. (P. Buys)

Staff Analysis: Pursuant to Rule 25-6.0143(1)(d), F.A.C., under the ICCA methodology, capital expenditures for storm-related facility damage must exclude the normal cost of removal, retirement, and replacement of those facilities in the absence of a storm. FPL witness Mohamed testified that, after accounting for the above-mentioned exclusion, FPL reclassified the remaining capitalizable amount by crediting FERC Account 186, Miscellaneous Deferred Debits, and debiting FERC Account 107, Construction Work in Progress.²³

When asked about the variance in total capitalizable costs from the petition to witness Mohamed's testimony, FPL stated that the difference was a result of actual capitalizable costs differing from those originally estimated.²⁴ The reasonable and prudent total costs that should be capitalized for each storm are listed below.

Table 11.1
Total Capitalizable Costs

Storm	Amount (Million)
Debby	\$14.887
Helene	22.006
Milton	<u>94.198</u>
Total	<u>\$131.091 Million</u>

Source: Exhibits AM-1, AM-2, and AM-3

The Commission's auditing staff reviewed Deloitte's work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton.

Therefore, staff recommends the costs that were capitalized for all of the hurricanes are reasonable and prudent and the appropriate amount to capitalize is \$131.091 million.

²³ Document No. 15506-2025

²⁴ Document No. 03089-2026

Issue 12: What is the reasonable and prudent amount of storm-related costs that should be ICCA non-incremental O&M adjustments?

Recommendation: The reasonable and prudent amount of storm-related costs that should be ICCA non-incremental O&M adjustments is \$10.699 million. (Holloway)

Staff Analysis: As stated in Rule 25-6.0143(1)(d), F.A.C.:

Under the ICCA methodology, the costs charged to cover storm-related damages must exclude those costs that normally would be charged to non-cost recovery clause operating expenses in the absence of a storm. Under the ICCA methodology for determining the allowable costs to be charged to cover storm-related damages, the utility will be allowed to charge Account No. 228.1 costs that are incremental to costs normally charged to non-costs recovery clause operating expenses in the absence of a storm.

Witness Mohomed testified that for regular payroll, overtime payroll, and contractors costs, the average of the costs for the prior three years for the months in which storm restoration activities were incurred, exceeded the costs charged to O&M in the months in which restoration work was performed. Therefore, based on the ICCA methodology, adjustments were made for the non-incremental amounts of the above mentioned categories. Fuel costs charged during the storm restoration activities were determined similarly. However, for Hurricanes Debby and Helene, the fuel costs did not exceed fuel costs charged to O&M in the months in which restoration work was performed. Therefore, based on the ICCA methodology, fuel costs were considered incremental and no adjustment was needed. However, as stated in response to staff's fifth data request, the fuel costs for Hurricane Milton exceeded the fuel costs charged to O&M for the prior three years in the months which storm restoration activities incurred. Therefore, FPL removed the non-incremental portion of the fuel cost associated with Hurricane Milton.

Further, Witness Mohomed stated that line clearing costs are recovered through the Storm Protection Plan Cost Recovery Clause and therefore are considered incremental and do not require an adjustment under Rule 25-6.0143(1)(e)(11), F.A.C. Additionally, witness Mohomed verified that the vehicle utilization costs charged to the storm WBSs for FPL owned vehicles would be considered non-incremental under the ICCA methodology. The "other" category of storm restoration costs includes employee assistance which is considered non-incremental under the ICCA methodology. Pursuant to Rule 25-6.0143, F.A.C., the reasonable and prudent storm related costs that should be ICCA non-incremental O&M adjustments are listed below.

Table 12-1
ICCA Adjustments

ICCA Adjustments	Hurricane Debby	Hurricane Helene	Hurricane Milton
Regular Payroll	\$753,000	\$698,000	\$618,000
Overtime Payroll	142,000	210,000	44,000
Contractors	1,305,000	-	-
Vehicle Utilization	1,332,000	1,453,000	3,526,000
Fuel	-	-	82,000
Employee Assistance	<u>58,000</u>	<u>115,000</u>	<u>362,000</u>
Total	<u>\$3,591,000</u>	<u>\$2,476,000</u>	<u>\$4,632,000</u>

Source: Exhibits AM-1, AM-2, and AM-3

The Commission's auditing staff reviewed Deloitte's work papers and found that the scope, procedures, and conclusion were reasonable. The Company confirmed that costs and invoices for Hurricanes Debby and Helene were handled in the same manner as Hurricane Milton. Therefore, staff believes the adjustments for non-incremental costs are reasonable and prudent.

The reasonable and prudent amount of storm-related costs that should be ICCA non-incremental O&M adjustments is \$10.699 million.

Issue 13: What is the reasonable and prudent amount of retail recoverable storm costs?

Recommendation: The reasonable and prudent amount of retail recoverable storm costs is \$1,125 million (\$1.125 billion). (Holloway)

Staff Analysis: Based upon the previously stated storm restoration costs categories and adjustments, the reasonable and prudent retail recoverable storm costs are listed below.

Table 13-1
Retail Recoverable Storm Costs

Storm	Amount (Million)
Debby	\$88.324
Helene	167.613
Milton	774.372
Storm Reserve Replenishment and Interest	<u>95.079</u>
Total	<u>\$1,125 Million</u>

Source: Exhibits AM-1, AM-2, AM-3, and AM-4

The reasonable and prudent amount of retail recoverable storm costs is \$1,125 million (\$1.125 billion).

Issue 14: What is the amount that was recovered thorough the storm cost recovery surcharge?

Recommendation: The amount recovered through the storm cost recovery surcharge is \$1.205 billion. (Holloway)

Staff Analysis: Based on FPL's witness Anderson's supplemental testimony, FPL collected \$1.205 billion through the storm restoration recovery surcharge, during the recovery period of January 2025 through December 2025.

Date: June 24, 2026

Issue 15: If applicable, how should any under-recovery or over-recovery be handled?

Recommendation: Any under-recovery or over-recovery should be recovered or refunded through an adjustment to the non-fuel energy charge. (Holloway)

Staff Analysis: In FPL witness Mohomed's testimony, the total retail recoverable storm cost requested is \$1.125 billion. In FPL witness Anderson's supplemental testimony, the reported amount recovered through the storm cost recovery surcharge totals \$1.205 billion. Therefore, the recovery of the storm costs resulted in an over-recovery of approximately \$80 million, plus interest.

Any under- or over-recovery should be addressed through an adjustment to the non-fuel energy charge. Interest should be applied to any excess or shortfalls at the 30-day commercial paper rate, consistent with Rule 25-6.109, F.A.C. The true-up rates should be structured in a manner consistent with the cost allocation methodology used for the interim storm charge rates approved in this docket. FPL should apply the true-up rates through the non-fuel energy charge on customers' bills beginning on cycle day 1 of the first month that is more than 30 days after Commission approval.

Date: June 24, 2026

Issue 16: Should the Stipulations filed by OPC and FPL on June 18, 2026, be approved?

Recommendation: Since the Stipulations are in agreement with Commission staff's recommendations with regard to Issue Nos. 1, 13, 14, and 15, staff recommends that the Stipulations be approved if the Commission votes to accept staff's recommendations on those issues. With regard to the FPL process issues, staff recommends that they be approved. (Brownless)

Staff Analysis: On June 18, 2026, FPL and OPC filed Stipulations which addressed the following:

- 1) Procedural issues regarding testimony, witness appearances, exhibits, and waiver of a request for hearing if the Stipulations are approved.
- 2) Compliance with the terms of Order No. PSC-2019-0319-S-EI (Irma Settlement) and Order No. PSC-2024-0227-S-EI (Ian Stipulations). This conclusion is based on the Deloitte independent evaluation of Hurricane Milton costs and evaluation of discovery by OPC and Commission staff.
- 3) Restoration costs for Hurricane Debby of \$88.3 million; for Hurricane Helene of \$167.6 million and Hurricane Milton of \$774.4 million.
- 4) FPL's total retail recoverable storm costs of \$1.125 billion.
- 5) Compliance with the Incremental Cost and Capitalization Approach prescribed in Rule 25-6.0143, F.A.C.
- 6) Actual revenues collected under the storm cost recovery surcharge is \$1.205 billion.
- 7) Refund of the storm cost surcharge over-recovery through the application of true-up rates administratively approved by Commission staff consistent with the Commission vote for a one-month period through the non-fuel energy charge starting on Cycle Day 1 after a final decision adopting the Stipulations.
- 8) Notification of the one-time true-up to customers at least thirty days prior the rate change.
- 9) There is no need for third party audits of storm costs in the future unless there is a substantial and material change in FPL's processes/procedures or the Commission's rules and requirements.
- 10) FPL will continue to implement and update the process provisions of Sections 5 through 17 of the Irma Settlement. FPL may implement a cost per mile payment structure in its contracts that includes travel, meals, fuel and lodging. FPL will notify OPC of implementation of the cost per mile payment method.
- 11) OPC and FPL agree that the Stipulations has no impact on the Commission's statutory audit authority.

Date: June 24, 2026

The Stipulations' terms can be sorted into five basic areas: compliance with Rule 25-6.0143, F.A.C.; retail recoverable storm costs; actual revenues collected pursuant to the storm cost recovery surcharge; over-charge refund mechanism; and FPL's processes. There is no provision in the Stipulations that the Commission must accept all of the terms.

Rule 25-6.0143, F.A.C.

With regard to compliance with Rule 25-6.0143, F.A.C., as discussed in Issue 1, staff agrees that Rule 25-6.0143's ICCA approach should be used to determine the reasonable and prudent amounts included in the storm restoration costs.

Retail recoverable storm costs and actual revenues collected

Staff also agrees, as discussed in Issues 13 and 14, that the total retail recoverable storm costs for Hurricanes Debby, Helene and Milton is \$1.125 billion and that the actual revenues collected pursuant to the storm cost recovery surcharge is \$1.205 billion.

Over-charge refund mechanism

Staff further agrees, as discussed in Issue 15, that the refund of over-recovered storm costs should be accomplished by an adjustment to the non-fuel energy charge with interest applied to the excess at the 30-day commercial paper rate. Staff also agrees that the true-up rates through the non-fuel energy charge on customer's bills should begin on cycle day 1 of the first month that is more than 30 days after Commission approval. Finally, staff agrees that it should be given administrative leave to review and approve the true-up rates that FPL will submit after the Commission's decision in this case becomes final.

FPL processes

The process issues agreed to by the parties appear to be reasonable and practical modifications to the previous process and procedures approved in the Irma Settlement and Ian Stipulations. The agreement not to request a third-party audit in the future is specifically binding on the parties only, not the Commission.

Conclusion

Since the Stipulations are in agreement with Commission staff's recommendations with regard to Issue Nos. 1, 13, 14 and 15, staff recommends that the Stipulations be approved if the Commission votes to accept staff's recommendation on those issues. With regard to the FPL process issues, staff recommends that they be approved.

Issue 17: Should this docket be closed?

Recommendation: If no timely protest is received to the proposed agency action, a Consummating Order should be issued upon the expiration of the protest period, and this docket should be closed. (Brownless)

Staff Analysis: If no timely protest is received to the proposed agency action, a Consummating Order should be issued upon the expiration of the protest period, and this docket should be closed.

FILED 6/18/2026
DOCUMENT NO. 03621-2026
FPSC - COMMISSION CLERK



Joel T. Baker
Senior Attorney
Florida Power & Light Company
700 Universe Blvd (LAW/JB)
Juno Beach, FL 33408-0420
Phone: (561) 691-7255
E-mail: Joel.Baker@fpl.com
Fla. Bar No. 0108202

June 18, 2026

VIA ELECTRONIC FILING

Mr. Adam J. Teitzman, Commission Clerk
Division of Commission Clerk and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Docket No. 20240149-EI
Petition for limited proceeding for recovery of incremental storm restoration costs
related to Hurricanes Debby, Helene, and Milton, by Florida Power & Light
Company
Joint Stipulations Between Florida Power & Light Company and the Office of
Public Counsel

Dear Mr. Teitzman:

On behalf of Florida Power & Light Company ("FPL") and the Office of Public Counsel ("OPC"), enclosed for filing in the above-referenced matter are joint stipulations between FPL and OPC to address all potential issues and contentions in Docket No. 20240149-EI.

Copies of this filing are being served in accordance with the attached certificate of service. If you or your staff have any questions regarding this filing, please contact me at (561) 691-7255.

Respectfully submitted,

/s/ Joel T. Baker

Joel T. Baker
Fla. Bar No. 0108202

Enclosure

cc: Ken Hoffman (ken.hoffman@fpl.com)

Florida Power & Light Company
700 Universe Boulevard, Juno Beach, FL 33408

Page | 1

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing have been furnished by Electronic Mail to the following parties of record this 18th day of June 2026:

Jennifer Crawford Suzanne Brownless Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, FL 32399 jercrawfor@psc.state.fl.us sbrownle@psc.state.fl.us <i>For Commission Staff</i>	Walt Trierweiler Charles J. Rehwinkel Austin A. Watrous c/o The Florida Legislature 111 West Madison Street, Room 812 Tallahassee, FL 32399-1400 Trierweiler.walt@leg.state.fl.us rehwinkel.charles@leg.state.fl.us watrous.austin@leg.state.fl.us <i>For Office of Public Counsel</i>
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/s/ Joel T. Baker

Joel T. Baker
Fla. Bar No. 0108202

Attorney for Florida Power & Light Company

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for limited proceeding for
recovery of incremental storm restoration costs
related to Hurricanes Debby, Helene, and
Milton, by Florida Power & Light Company.

DOCKET NO.: 20240149-EI

DATE: June 18, 2026

STIPULATIONS

Florida Power & Light Company ("FPL" or the "Company") and the Office of Public Counsel ("OPC") (hereinafter referred to individually as "Party" or collectively as "Parties") hereby agree to submit for approval by the Florida Public Service Commission ("Commission") the following stipulations to fully resolve all potential issues and contentions in Docket No. 20240149-EI on the following terms and conditions:

1. The Parties stipulate to having all pre-filed testimony and exhibits filed in this docket entered into the record, specifically the following:
 - a. The direct testimony of FPL witness Michael Jarro, along with Exhibits MJ-1 through MJ-9;
 - b. The direct testimony of FPL witness Amber De Lucenay;
 - c. The direct testimony of FPL witness Amin Mohomed, along with Exhibits AM-1 through AM-6; and
 - d. The direct testimony of Edward J. Anderson, along with Exhibit EJA-1.
2. The Parties agree that, with Commission approval of these stipulations, neither Party will seek or request a hearing on FPL's December 19, 2025, petition filed in this docket under the procedures set forth in Section 120.57, Florida Statutes.
3. The Parties agree to waive cross-examination of all witnesses and, upon Commission approval of these stipulations, have no objection to witnesses being excused from appearing at any evidentiary hearing in this proceeding.

4. The Parties stipulate to having all FPL's responses to Commission Staff's data requests entered into the record.
5. The Parties stipulate and agree that the Incremental Cost and Capitalization Approach prescribed in Rule 25-6.0143, Florida Administrative Code, is applicable to determining the reasonable and prudent amounts to be included in FPL's final Recoverable Storm Amount¹ to be approved in this docket.
6. The Parties stipulate and agree that FPL's pre-filed testimony, exhibits, and materials submitted with FPL's December 19, 2025, Notice of Filing Confidential Materials (collectively, the "FPL Storm Cost Support"), in combination with the results of the independent examination of FPL's Hurricane Milton costs performed by Deloitte & Touche LLP pursuant to the Parties' October 17, 2025, Amended Joint Stipulations filed in this docket (the "Deloitte Examination"), along with the review of discovery by the OPC and Commission Staff, support a Commission finding that the applicable terms of the Stipulation and Settlement of FPL's Hurricane Irma storm restoration costs approved by Commission Order No. PSC-2019-0319-S-EI in Docket No. 20180049-EI ("Irma Settlement"), as carried forward through the Stipulations of FPL's Ian and Nicole storm restoration costs approved by the Commission in Order No. PSC-2024-0227-S-EI in Docket No. 20230017-EI ("Ian Stipulations"),² have been satisfied and met.

¹ The Recoverable Storm Amount, upon which the Interim Storm Restoration Recovery Charge ("Interim Storm Charge") was based, includes: (i) the actual retail incremental storm restoration costs associated with Hurricane Debby; (ii) the actual retail incremental storm restoration costs associated with Hurricane Helene; (iii) the actual retail incremental storm restoration costs associated with Hurricane Milton; and (iv) the replenishment of FPL's storm reserve in accordance with Paragraph 10 of the Stipulation and Settlement approved in Order No. PSC-2021-0446-S-EI.

² The Ian Stipulations approved by the Commission in Docket No. 20230017-EI require "FPL [to] continue to implement and update the process provisions set forth in Sections 5 through 17 of the [Irma Settlement]."

7. The Parties stipulate and agree that the FPL Storm Cost Support and Deloitte Examination of the Hurricane Milton costs conducted pursuant to the Parties' October 17, 2025, Amended Joint Stipulations, support a Commission finding that the actual retail incremental storm restoration costs of \$88.3 million associated with Hurricane Debby, as shown in Exhibit AM-1, were reasonable and prudent.
8. The Parties stipulate and agree that the FPL Storm Cost Support and Deloitte Examination of the Hurricane Milton costs conducted pursuant to the Parties' October 17, 2025, Amended Joint Stipulations, support a Commission finding that the actual retail incremental storm restoration costs of \$167.6 million associated with Hurricane Helene, as shown in Exhibit AM-2, were reasonable and prudent.
9. The Parties stipulate and agree that the FPL Storm Cost Support and Deloitte Examination support a Commission finding that the actual retail incremental storm restoration costs of \$774.4 million associated with Hurricane Milton, as shown in Exhibit AM-3, were reasonable and prudent.
10. The Parties stipulate and agree that the FPL Storm Cost Support and Deloitte Examination support a Commission finding that FPL's total Recoverable Storm Amount is \$1,125 million, as shown on Exhibit AM-4.
11. The Parties stipulate and agree that the FPL Storm Cost Support supports a Commission finding that FPL's final Recoverable Storm Amount was calculated in compliance with the Incremental Cost and Capitalization Approach prescribed in Rule 25-6.0143, Florida Administrative Code.

12. The Parties stipulate and agree that the FPL Storm Cost Support supports a Commission finding that the actual revenues collected under the Interim Storm Charge was \$1,205 million, as shown on Exhibit EJA-1.
13. The Parties stipulate and agree that the FPL Storm Cost Support supports a Commission finding that the one-time true-up methodology for the actual revenues collected under the Interim Storm Charge, as proposed in the direct testimony of FPL witness Edward J. Anderson, is reasonable and appropriate. Specifically, the Parties agree that once the Commission has made its determination of the final actual Recoverable Storm Amount in this proceeding, FPL shall compare the approved Recoverable Storm Amount to the actual total revenues collected from the Interim Storm Charge, as shown on Exhibit EJA-1, in order to determine any excess or shortfall in recovery. The Parties also agree that interest shall be applied to any excess or shortfall at the thirty-day commercial paper rate consistent with Rule 25-6.109, Florida Administrative Code.
14. The Parties stipulate and agree that for this proceeding, specifically, the FPL Storm Cost Support supports a Commission finding that FPL's proposal to make a compliance filing with the Commission that sets forth the calculation of the appropriate true-up rates to apply to customer bills in order to refund the excess or collect the shortfall is reasonable and appropriate. The true-up rates shall apply to customer bills for a one-month period. Specifically, the Parties agree that the true-up rates shall be designed in a manner that is consistent with the cost allocation used for the Interim Storm Charge rates filed and approved in Order Nos. PSC-2024-0503-PCO-EI, and that FPL shall apply the true-up rates through the non-fuel energy charge on customers' bills starting on Cycle Day 1 of the first month following the Commission's issuance of either (i) a Consummating Order that

consummates a proposed agency action adopting these stipulations or (ii) any other final decision adopting these stipulations.

15. The Parties stipulate and agree that for this proceeding specifically the Commission should authorize its Staff to review and verify the final true-up rates contained in FPL's proposed compliance filing referenced in Paragraph 14 above.
16. The Parties stipulate and agree that for this proceeding specifically the FPL Storm Cost Support supports a Commission finding that FPL's proposal to notify customers of the change in their rates, due to the one-time true-up, at least thirty days in advance in the form of a message on their bill, with more detailed information regarding the Interim Storm Charge tariff provided on FPL's website, www.FPL.com/rates, is reasonable and appropriate.
17. The Parties agree that the Deloitte Examination performed pursuant to the Parties' Amended Joint Stipulations, filed in this proceeding on October 20, 2025, was satisfactorily executed and reduced the need for discovery in this proceeding. The Parties agree that FPL need not perform such external, independent storm attestations/audits in the future unless there is a substantive material change in FPL's processes/procedures or the Commission's rules and requirements.
18. The Parties stipulate and agree that FPL shall continue to implement and update the process provisions set forth in Sections 5 through 17 of the Irma Settlement. Consistent with the principles of the Irma Settlement and the aim of continuous improvement, the Parties further agree that the process provisions of Sections 5 through 17 of the Irma Settlement may be updated to reflect advancements in data automation and the use of technology, including smart phone applications and data collection programs.

19. To reduce the review burden and manual effort required to calculate a crew's pace of travel in accordance with Sections 8, 10, and 11 of the Irma Settlement, the Parties agree that FPL may investigate and, if practicable, implement a cost per mile payment structure in its vendor contracts that includes travel, meals, fuel, and lodging. The Parties agree that such a change in payment structure would not constitute a substantive material change in FPL's processes/procedures pursuant to Paragraph 17 of these stipulations. If FPL determines that a cost per mile payment structure is practicable, FPL shall promptly notify OPC of such determination.
20. The Parties acknowledge that this stipulation has no impact upon the Commission's statutory audit authority under Chapter 366 of the Florida Statutes.

In Witness Whereof, FPL and OPC evidence their acceptance and agreement with all provisions of these Stipulations by their signature.

FLORIDA POWER & LIGHT COMPANY

By: 
John T. Burnett
Vice President and General Counsel
Florida Power & Light Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

OFFICE OF PUBLIC COUNSEL

By: 
Walt Trierweiler
Public Counsel
c/o The Florida Legislature
111 West Madison Street, Suite 812
Tallahassee, FL 32399-1400

Item 6

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-

DATE: June 24, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Accounting and Finance (D'Sa, D. Buys) *MC*
Office of the General Counsel (Brownless) *JSC*

RE: Docket No. 20260080-EI – Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.89% to 6.97%, effective January 1, 2026, by Florida Power & Light Company.

AGENDA: 07/07/26 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

Florida Power & Light Company's (FPL or Company) current Allowance for Funds Used During Construction (AFUDC) rate of 6.89 percent was approved by Order No. PSC-2025-0176-PAA-EI, issued May 29, 2025.¹ On May 18, 2026, FPL filed a petition for approval to change its AFUDC rate from 6.89 percent to 6.97 percent, effective January 1, 2026. As required by Rule 25-6.014(5), Florida Administrative Code (F.A.C.), FPL filed with its petition Schedules A, B, and C identifying the capital structure, capital structure adjustments, and the methodology used to calculate the monthly AFUDC rate. The Commission has jurisdiction over this matter pursuant to Chapter 366, Florida Statutes (F.S.), including Sections 366.04, 366.05, and 366.06, F.S.

¹ Order No. PSC-2025-0176-PAA-EI, issued May 29, 2025, in Docket No. 20250044-EI, *In re; Request for approval of change in rate used to capitalize allowance for funds used during construction (AFUDC) from 6.76% to 6.89%, effective January 1, 2025, by Florida Power & Light Company.*

Discussion of Issues

Issue 1: Should the Commission approve FPL's request to change its AFUDC rate from 6.89 percent to 6.97 percent?

Recommendation: Yes. The appropriate AFUDC rate for FPL is 6.97 percent based on a 13-month average capital structure for the period ended December 31, 2025. (D'Sa)

Staff Analysis: FPL has requested an increase in its AFUDC rate from 6.89 percent to 6.97 percent. Rule 25-6.0141(3), F.A.C., Allowance for Funds Used During Construction, provides the following guidance:

(3) The applicable AFUDC rate will be determined as follows:

(a) The most recent 13-month average embedded cost of capital, except as noted below, must be derived using all sources of capital and adjusted using adjustments consistent with those used by the Commission in the Company's last rate case.

(b) The cost rates for the components in the capital structure will be the midpoint of the last allowed return on common equity, the most recent 13-month average cost of short-term debt and customer deposits and a zero cost rate for deferred taxes and all investment tax credits. The cost of long-term debt and preferred stock will be based on end of period cost. The annual percentage rate will be calculated to two decimal places.

In support of its requested AFUDC rate of 6.97 percent, FPL provided its calculations and capital structure in Schedules A and B attached to its petition. Staff reviewed the schedules and determined that the proposed rate was calculated in accordance with Rule 25-6.0141(3), F.A.C., as presented in Attachment 1. The requested increase in the AFUDC rate is due primarily to an increase of 7 basis points in the weighted average cost of long-term debt; an increase of 3 basis points in the weighted average cost of common equity, offset by a decrease of 2 basis points in the combined weighted average cost of short-term debt and customer deposits. In its calculation, the Company appropriately used the mid-point return on equity of 10.80 percent, which was approved by Order No. PSC-2022-0358-FOF-EI.²

Based on its review, staff believes that the requested increase in the AFUDC rate from 6.89 percent to 6.97 percent is appropriate and consistent with Rule 25-6.0141, F.A.C. Therefore, staff recommends that an AFUDC rate of 6.97 percent be approved.

² Order No. PSC-2022-0358-FOF-EI, issued October 21, 2022, in Docket No. 20210015-EI, *In re: Petition for rate increase by Florida Power & Light Company*.

Issue 2: What is the appropriate monthly compounding rate to achieve FPL's requested annual AFUDC of 6.97 percent?

Recommendation: The appropriate compounding rate to achieve an annual AFUDC rate of 6.97 percent is 0.563065 percent. (D'Sa)

Staff Analysis: FPL requested a monthly compounding rate of 0.563065 percent to achieve an annual AFUDC rate of 6.97 percent. In support of the requested monthly compounding rate of 0.563065 percent, the Company provided its calculations in Schedule C attached to its request. Rule 25-6.0141(4)(a), F.A.C., provides the following formula for discounting the annual AFUDC rate to reflect the monthly compounding.

$$M=[((1+A/100)^{1/12})-1] \times 100$$

Where: M = Discounted monthly AFUDC rate.

A = Annual AFUDC rate.

The rule also requires that the monthly compounding rate be calculated to six decimal places.

Staff reviewed the Company's calculation and determined it was derived in accordance with Rule 25-6.0141(4), F.A.C., as presented in Attachment 2. Therefore, staff recommends that a monthly compounding AFUDC rate of 0.563065 percent be approved.

Date: June 24, 2026

Issue 3: Should the Commission approve FPL's requested effective date of January 1, 2026, for implementing the AFUDC rate?

Recommendation: Yes. The AFUDC rate should be effective January 1, 2026, for all purposes. (D'Sa)

Staff Analysis: FPL's requested AFUDC rate was calculated using the most recent 13-month average capital structure for the period ended December 31, 2025. Rule 25-6.0141(6), F.A.C., provides that:

No utility may charge or change its AFUDC rate without prior Commission approval. The new AFUDC rate will be effective the month following the end of the 12-month period used to establish that rate and may not be retroactively applied to a previous fiscal year unless authorized by the Commission.

The Company's requested effective date of January 1, 2026, complies with the rule requirement that the effective date does not precede the period used to calculate the rate. Therefore, staff recommends an effective date of January 1, 2026, should be approved.

Issue 4: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order. (Brownless)

Staff Analysis: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should be closed upon the issuance of a consummating order.

**FLORIDA POWER & LIGHT COMPANY
CAPITAL STRUCTURE USED FOR THE REQUESTED AFUDC RATE
AS OF DECEMBER 31, 2025**

COMPANY AS FILED				
<u>CAPITAL COMPONENTS</u>	<u>JURISDICTIONAL AVERAGE</u>	<u>CAPITAL RATIO</u>	<u>COST OF CAPITAL</u>	<u>WEIGHTED COST OF CAPITAL</u>
COMMON EQUITY	\$35,132,360,236	49.75%	10.80%	5.37%
LONG-TERM DEBT	\$22,901,639,288	32.43%	4.69%	1.52%
SHORT-TERM DEBT	\$896,249,804	1.27%	4.86%*	0.06%
CUSTOMER DEPOSITS	\$582,919,497	0.83%	2.17%*	0.02%
DEFERRED INCOME TAXES	\$8,023,947,130	11.36%	0.00%	0.00%
FAS 109 DIT	\$2,299,580,894	3.26%	0.00%	0.00%
INVESTMENT TAX CREDITS	\$785,716,169	1.11%	0.00%	0.00%
TOTAL	\$70,622,413,018	100.00%		6.97%

* 13-MONTH AVERAGE

**FLORIDA POWER & LIGHT COMPANY
METHODOLOGY FOR COMPOUNDING AFUDC RATE
AS OF DECEMBER 31, 2025**

COMPANY AS FILED			
<u>MONTHS</u>	<u>AFUDC BASE</u>	<u>MONTHLY AFUDC RATE</u>	<u>CUMULATIVE AFUDC RATE</u>
1	1.00000000	0.00563065	0.00563065
2	1.00563065	0.00566235	0.01129300
3	1.01129300	0.00569423	0.01698723
4	1.01698723	0.00572629	0.02271352
5	1.02271352	0.00575854	0.02847206
6	1.02847206	0.00579096	0.03426302
7	1.03426302	0.00582357	0.04008659
8	1.04008659	0.00585636	0.04594295
9	1.04594295	0.00588933	0.05183228
10	1.05183228	0.00592250	0.05775478
11	1.05775478	0.00595584	0.06371062
12	1.06371062	0.00598938	0.06970000

Annual Rate (R) = 0.069700

Monthly Rate = $((1+R)^{(1/12)})-1$ = 0.00563065

Item 7

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-

DATE: June 24, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Accounting and Finance (Kelley, Buys, Cicchetti, Cohn, DSa, Higgins, Norris, Souchik, Worrall) *MC*
Division of Economics (Bruce, Hudson) *EDD*
Division of Engineering (Ramirez-Abundez, Ramos, Thompson) *LVK*
Office of the General Counsel (Bloom, Crawford) *JSC*

RE: Docket No. 20250130-WS – Petition for an acquisition adjustment for a non-viable utility, by CSWR-Florida Utility Operating Company, LLC.

Docket No. 20250136-WS – Petition for an acquisition adjustment for a non-viable utility, by CSWR-Florida Utility Operating Company, LLC.

AGENDA: 07/07/26 – Regular Agenda – Motion to Dismiss – Oral Argument Not Requested – Participation is at the Commission’s Discretion

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Ortega (20250130-WS)
Clark (20250136-WS)

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

Pursuant to Rule 25-30.0371, Florida Administrative Code (F.A.C.), a positive acquisition adjustment may occur when the purchase price of a utility is greater than the net book value of the acquired utility’s assets. If approved, a positive acquisition adjustment increases rate base. Rule 25-30.0371, F.A.C., was amended on June 17, 2024. The previous version of the rule

required a showing of extraordinary circumstances to be entitled to a positive acquisition adjustment, and utilities requested the acquisition adjustment at the time of transfer. The amended version of the rule provides a list of factors that the Florida Public Service Commission (Commission) must consider in determining whether a positive acquisition adjustment is warranted. The amended version of the rule also allows utilities to seek approval of the acquisition adjustment at either the time of transfer or at anytime within 3 years of the Commission order approving the transfer of the certificate of authorization.

While the prior version of Rule 25-30.0371, F.A.C., was still effective, Central States Water Resources-Florida Utility Operating Company, LLC (CSWR or Utility) requested and was denied positive acquisition adjustments with respect to its acquisition of its North Peninsula, Aquarina, and Sunshine systems.¹ CSWR subsequently filed petitions for positive acquisition adjustments under the amended rule, to which the Office of Public Counsel (OPC) filed motions to dismiss, arguing that administrative finality had attached to the Commission's denial of acquisition adjustments at the time the three systems were transferred to CSWR. By Order No. PSC-2025-0250-PCO-WS, the Commission denied OPC's motions to dismiss, finding that administrative finality did not attach and that the new acquisition adjustment rule was not being applied retroactively.² The three acquisition adjustment dockets associated with North Peninsula, Aquarina, and Sunshine are currently pending before the Commission.

At issue in this recommendation are CSWR's requests for a positive acquisition adjustment with respect to its purchase of two additional utilities, Neighborhood Utilities, Inc. (Neighborhood) and Rolling Oaks Utilities, Inc. (Rolling Oaks).

In Commission Docket No. 20220019-WU, CSWR applied for the transfer of Neighborhood, and included a request for a positive acquisition adjustment at the time of the transfer to CSWR under the prior version of Rule 25-30.0371, F.A.C. The Commission approved the transfer but denied the request for a positive acquisition adjustment, stating that the utility failed to demonstrate extraordinary circumstances.³

¹ Order Nos. PSC-2022-0116-PAA-SU, issued March 17, 2022, in Docket No. 20210133-SU, *In re: Application for transfer of facilities of North Peninsula Utilities Corporation and wastewater Certificate No. 249-S to CSWR-Florida Utility Operating Company, LLC, in Volusia County*; PSC-2022-0115-PAA-WS, issued March 15, 2022, in Docket No. 20210093-WS, *In re: Application for transfer of water and wastewater systems of Aquarina Utilities, Inc., water Certificate No. 517-W, and wastewater Certificate No. 450-S to CSWR-Florida Utility Operating Company, LLC, in Brevard County*; and PSC-2022-0120-PAA-WU, issued March 18, 2022, in Docket No. 20210095-WU, *In re: Application for transfer of water facilities of Sunshine Utilities of Central Florida, Inc. and water Certificate No. 363-W to CSWR-Florida Utility Operating Company, LLC, in Marion County*.

² Order No. PSC-2025-0250-PCO-WS, issued June 25, 2025, in Docket Nos. 20250038-WS, *In re: Petition for an acquisition adjustment for a non-viable utility, by CSWR-Florida Utility Operating Company, LLC*; 20250043-WS, *In re: Petition for an acquisition adjustment for a non-viable utility, by CSWR-Florida Utility Operating Company, LLC*; 20250047-WS, *In re: Petition for an acquisition adjustment for a non-viable utility, by CSWR-Florida Utility Operating Company, LLC*; and 20250052-WS, *In re: Application for increase in water and wastewater rates in Brevard, Citrus, Duval, Highlands, Marion, and Volusia Counties by CSWR-Florida Utility Operating Company*.

³ Order No. PSC-2022-0364-PAA-WU, issued October 25, 2022, in Docket No. 20220019-WU, *In re: Application for transfer of water facilities of Neighborhood Utilities, Inc. and water Certificate No. 430-W to CSWR-Florida Utility Operating Company, LLC, in Duval County*.

CSWR purchased Rolling Oaks, located in Citrus County, on December 30, 2021. At that time, Citrus County regulated all water and wastewater utilities in that county which would otherwise be subject to regulation by the Commission, under Section 367.171(8), Florida Statutes (F.S.). By Resolution No. 2022-108, dated November 7, 2022, the Citrus County Board of Commissioners approved the sale and transfer of Rolling Oaks to CSWR. However, the County denied CSWR's request for a positive acquisition adjustment, stating that CSWR failed to demonstrate extraordinary circumstances. Citrus County subsequently returned jurisdiction over its water and wastewater utilities to the Commission,⁴ and the Commission granted CSWR a grandfather certificate with respect to its Rolling Oaks system.⁵

On October 14, 2025, and November 7, 2025, CSWR filed petitions requesting positive acquisition adjustments relating to its purchases of Neighborhood and Rolling Oaks under the amended version of Rule 25-30.0371, F.A.C. These requests were assigned Docket Nos. 20250130-WS and 20250136-WS, respectively. Neither petition referenced the Commission's or Citrus County's prior denials of CSWR's request for a positive acquisition adjustment at the time of the transfers. Rather, the petitions listed information required under the amended rule, such as planned infrastructure additions and maintenance needed to improve the utilities' quality of service or compliance with environmental regulations.

On April 30, 2026, the Office of Public Counsel (OPC) filed Motions to Dismiss CSWR's petition for an acquisition adjustment in both the Neighborhood and Rolling Oaks dockets.⁶ In each Motion to Dismiss, OPC argues that the doctrine of administrative finality precludes CSWR from obtaining a positive acquisition adjustment on each of its utilities that were previously denied a positive acquisition adjustment at the time of transfer.

On May 7, 2026, CSWR filed responses to each Motion to Dismiss (Responses). In its Responses, CSWR contends that administrative finality did not attach to the previous acquisition adjustment denials, that there are changed circumstances that warrant a positive acquisition adjustment in the instant cases, and that the requested positive acquisition adjustments are in the public interest.

Staff's recommendation addresses OPC's Motions to Dismiss CSWR's petitions for acquisition adjustments and CSWR's Responses. No request for oral argument was filed concurrently with either of OPC's Motions to Dismiss under Rule 25-22.0022(7)(a), F.A.C.; however, participation on these items are within the Commission's discretion.⁷ The Commission has jurisdiction pursuant to Sections 367.071 and 367.121, F.S.

⁴ Order No. PSC-2024-0267-FOF-WS, issued July 25, 2024, in Docket No. 20240095-WS, *In re: Resolution of the Board of County Commissioners of Citrus County declaring Citrus County subject of the provisions of Sections 367, F.S.*

⁵ Order No. PSC-2025-0280-PAA-WS, issued July 21, 2025, in Docket No. 20240130-WS, *In re: Application for grandfather certificate to operate water and wastewater utility in Citrus County, by CSWR-Florida Utility Operating Company, LLC.*

⁶ OPC's intervention was acknowledged by Order Nos. PSC-2026-0030-PCO-WS, issued January 27, 2026, in Docket No. 20250130-WS and PSC-2026-0031-PCO-WS, issued January 27, 2026, in Docket No. 20250136-WS.

⁷ Under Rule 25-22.0022(7)(a), F.A.C., oral argument at an Agenda Conference will only be entertained for recommended orders and dispositive motions, such as motions to dismiss. Rule 25-22.022(1), F.A.C., provides that

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oral argument must be sought by separate written request filed concurrently with the motion on which argument is requested. Failure to timely file a request for oral argument constitutes waiver thereof. However, the Commission may request oral argument on matters over which it presides. Rule 25-22.0022(2), F.A.C.

Discussion of Issues

Issue 1: Should OPC's Motions to Dismiss the Neighborhood and Rolling Oaks acquisition adjustment petitions be granted?

Recommendation: No, staff recommends that the Commission deny OPC's Motions to Dismiss the Neighborhood and Rolling Oaks acquisition adjustment petitions. Staff recommends that changed circumstances and the public interest warrant consideration of CSWR's requests for positive acquisition adjustments concerning its Neighborhood and Rolling Oaks utilities. Additionally, staff disagrees with OPC's contention that CSWR is seeking retroactive application of amended Rule 25-30.0371, F.A.C. (Crawford, Bloom)

Staff Analysis:

Law

In the seminal case of *Peoples Gas Systems, Inc. v. Mason*, the Florida Supreme Court held:

[O]rders of administrative agencies must eventually pass out of the agency's control and become final and no longer subject to modification. This rule assures that there will be a terminal point in every proceeding at which the parties and the public may rely on a decision as being final and dispositive of the rights and issues involved therein.

187 So. 2d 335, 339 (Fla. 1966). While administrative finality generally applies to final orders, finality does not attach "when there has been a significant change of circumstances or there is a demonstrated public interest." *Delray Medical Center, Inc., v. State Agency for Health Care Administration*, 5 So. 3d 26, 29 (Fla. 4th DCA 2009).

When an administrative rule is revised, retroactive application of the new rule is generally prohibited. *Envtl. Trust v. Dept. of Env'tl. Prot.*, 714 So. 2d 493, 500 (Fla. 1st DCA 1998). However, "retroactive application of a rule may be proper if the rule merely clarifies or explains a previous rule." *Id.* A revised rule "is presumed to operate prospectively in the absence of express language to the contrary." *Jordan v. Dept. of Prof. Reg.*, 522 So. 2d 450, 453 (Fla. 1st DCA 1988).

Res judicata and administrative finality both prevent relitigation, but they differ in scope. Res judicata, a common law doctrine, applies to court judgments and bars relitigation of the same claim between the same parties. Administrative finality, on the other hand, applies to administrative agency decisions. *See Delray* at 29. The Florida Supreme Court has recognized that the legal principles of res judicata do not neatly fit within the scope of administrative proceedings, because the actions of administrative agencies are usually concerned with deciding issues according to a public interest that often changes with shifting circumstances and passage of time. *Id.* (citing *Peoples Gas Sys., Inc. v. Mason*, 187 So. 2d 335, 339 (Fla. 1966)).

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Standard of Review

A motion to dismiss raises as a question of law the sufficiency of the facts alleged to state a cause of action.⁸ In order to sustain a motion to dismiss, the moving party must show that, accepting all allegations as true, the petition still fails to state a cause of action for which relief may be granted.⁹ The moving party must specify the grounds for the motion to dismiss, and all material allegations must be construed against the moving party in determining if the petitioner has stated the necessary allegations.¹⁰ A sufficiency determination should be confined to the petition and documents incorporated therein, and the grounds asserted in the motion to dismiss.¹¹

To evaluate a motion to dismiss, all allegations in the petition must be viewed as true and in the light most favorable to the petitioner in order to determine whether there is a cause of action upon which relief may be granted.¹² The “[d]ismissal of a petition shall, at least once, be without prejudice to petitioner’s filing a timely amended petition curing the defect, unless it conclusively appears from the face of the petition that the defect cannot be cured.”¹³

OPC’s Motions to Dismiss

In its Motions to Dismiss the Neighborhood and Rolling Oaks acquisition adjustment petitions, OPC argues that administrative finality has attached to the prior denials of CSWR’s positive acquisition adjustments and that CSWR cannot reapply for the same. OPC contends that CSWR failed to demonstrate the applicability of the exceptions to administrative finality, of a significant change in circumstances or a demonstrated public interest. Specifically, OPC claims that the only change in circumstance from CSWR’s previous petitions is the amendment to the acquisition adjustment rule, and that the amended rule does not have retroactive application. Consequently, OPC believes that administrative finality has attached to CSWR’s requests for positive acquisition adjustments and that the Neighborhood and Rolling Oaks petitions should be dismissed.

CSWR’s Response

In its Responses, CSWR rejects OPC’s contentions primarily based on the argument that administrative finality did not attach to the denials of the acquisition adjustments it requested in the transfers at issue. CSWR argues that administrative finality does not attach because rather than asking the Commission to second-guess the earlier denials of the acquisition adjustments, CSWR is instead presenting the Commission with new applications involving different facts and applying a different law. CSWR cites to Commission precedent wherein the Commission allowed OPC’s requests for negative acquisition adjustments where the same negative

⁸ *Varnes v. Dawkins*, 624 So. 2d 349, 350 (Fla. 1st DCA 1993).

⁹ *Id.* at 350.

¹⁰ *Matthews v. Matthews*, 122 So. 2d 571 (Fla. 2nd DCA 1960).

¹¹ *Barbado v. Green and Murphy, P.A.*, 758 So. 2d 1173 (Fla. 4th DCA 2000).

¹² See e.g. *Ralph v. City of Daytona Beach*, 471 So. 2d 1, 2 (Fla. 1983); *Orlando Sports Stadium, Inc. v. State of Florida ex rel. Powell*, 262 So. 2d 881, 883 (Fla. 1972); *Kest v. Nathanson*, 216 So. 2d 233, 235 (Fla. 4th DCA 1986); *Ocala Loan Co. v. Smith*, 155 So. 2d 711, 715 (Fla. 1st DCA 1963).

¹³ Section 120.569(2)(c), F.S.

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acquisition adjustments were previously denied.¹⁴ CSWR contends that OPC is changing its position from those previous cases in which OPC argued that administrative finality did not attach to previously denied acquisition adjustments.

In its Responses, CSWR argues that it is not asking the Commission to reconsider its prior decisions under the prior version of the rule. Instead of seeking reconsideration in which the Commission would second-guess its prior denial of acquisition adjustments, CSWR contends that it has timely filed a new petitions under the new version of the rule. CSWR claims that while OPC refers to administrative finality, OPC is really arguing *res judicata* to prohibit CSWR from requesting acquisition adjustments a second time.

CSWR claims that the facts and circumstances have changed since the time of the transfers for the two systems for which a positive acquisition adjustment is requested. Specifically, CSWR claims that in the three years since the purchases, it has learned significant facts about the systems that had not yet occurred or were not known at the time of the transfers, such as the extreme level of deterioration of wastewater treatment facilities, the work needed to come into environmental compliance, and the former owner's insolvency and how that impacted the operation of the systems. CSWR asserts that these new facts and changed conditions demonstrate that administrative finality cannot apply to the denied acquisition adjustments for these systems.

CSWR contends that no person has taken any action in reliance on the Commission's or Citrus County's prior denials of the requested acquisition adjustments. In addition, the Utility argues that the public interest favors considering the petitions on their merits as the purpose of the amended rule is to encourage consolidation and acquisition of failing water and wastewater systems. CSWR claims that under the prior version of the rule, no positive acquisition adjustment was ever granted thereby limiting the acquisition and rehabilitation of failing systems and harming customers of those systems.

CSWR asserts that it is not applying the new version of the rule retroactively. Rather, CSWR claims it is making new petitions based on new facts and cost and revenue projections rather than a single event that occurred before the new rule became effective. CSWR contends that the amended rule allows for petitions for acquisition adjustments to be filed within three years of the transfer order and that the new rule recognizes that facts relating to the condition of the transferred systems and the impact of the transfer on customers take time to become fully developed. Rather than applying the new rule to completed events, CSWR claims that its application applies the current procedural standards to new petitions properly brought before the Commission.

CSWR notes, as discussed in the Case Background, that the Commission has previously rejected the same arguments that OPC is making in the instant cases for Neighborhood and Rolling Oaks.

¹⁴ Order No. PSC-93-1675-FOF-WS, issued November 18, 1993, in Docket No. 920148-WS, *In re: Application for a Rate Increase in Pasco County by Jasmine Lakes Utilities Corp.* (Commission relied on public interest to grant OPC's request for a negative acquisition adjustment despite having previously denied the same); Order No. PSC-01-1554-FOF-WU, issued July 27, 2001, in Docket No. 991437-WU, *In re: Application for increase in water rates in Orange County by Wedgefield Utilities, Inc.* (Commission denied Motion for Summary Final Order and allowed OPC the opportunity to demonstrate a change of circumstances to overcome the prior denial of the requested negative acquisition adjustment).

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On April 17, 2025, OPC moved to dismiss three CSWR acquisition adjustment petitions with respect to CSWR's North Peninsula, Aquarina, and Sunshine systems, on the same grounds asserted in the present motions. By Order No. 2025-0250-PCO-WS, the Commission denied OPC's motions to dismiss the three petitions, finding that administrative finality did not attach and that the new acquisition adjustment rule was not being applied retroactively.¹⁵

Staff Analysis

For the reasons set forth below, staff recommends that OPC's Motions to Dismiss should be denied, and CSWR should be allowed to proceed with the instant petitions for acquisition adjustment for Neighborhood and Rolling Oaks.

A. Interpretation of Rule 25-30.0371, F.A.C.

Although not presented as an argument by OPC, staff notes that a strict reading of Rule 25-30.0371, F.A.C., would lead to the conclusion that CSWR's purchase of Rolling Oaks is not eligible for a subsequent acquisition adjustment. Subsection 2 of the rule provides that "[a] utility may seek approval of a positive acquisition adjustment at the time the utility seeks approval to transfer the certificate of authorization or anytime within 3 years of the issuance date of the *Commission order* approving the transfer of the certificate of authorization." (emphasis added.) For the Rolling Oaks system, the order approving the transfer was issued by the Citrus County Board of Commissioners, not the Commission, thus no *Commission order* approving the transfer exists. As a general proposition, in interpreting administrative rules, words should be given their plain and ordinary meaning. *Gar-Con Dev., Inc. v. State, Dept. of Env'tl. Reg.*, 468 So. 2d 413 (Fla. Dist. Ct. App. 1985) (*citing State, Dept. of Health and Rehab. Services v. McTigue*, 387 So. 2d 454 (Fla. Dist. Ct. App. 1980)). If this were the case, then CSWR's petition regarding Rolling Oaks in Docket No. 20250136-WS should be dismissed for failing to comply with a plain reading of the rule. Such a dismissal would be with prejudice, because it conclusively appears from the face of the petition that the defect cannot be cured.

However, staff believes the rule can be reasonably read to interpret that the three years run from the date an appropriate regulatory body issues an *order* approving the transfer of a water or wastewater system, and that a utility should not be penalized for the subsequent transfer in regulatory jurisdiction, as occurred for Rolling Oaks in Citrus County.

B. Administrative Finality

Staff does not believe that administrative finality has attached to CSWR's previously denied positive acquisition adjustments. CSWR has adequately demonstrated both a significant change of circumstances and that it is in the public interest for the Commission to proceed on the instant petitions for positive acquisition adjustments.

¹⁵ Order No. PSC-2025-0250-PCO-WS.

1. Significant Change of Circumstances

Staff agrees with CSWR that facts and circumstances have significantly changed since the time of transfer for the Rolling Oaks and Neighborhood systems for which a positive acquisition adjustment is requested. Staff particularly notes CSWR's allegations regarding the extreme level of deterioration at these systems' facilities, the work needed to come into environmental compliance, and the impact of the former owners' insolvency on the operation of these systems. The details of these conditions were not known at the time the Commission or Citrus County previously denied CSWR's requests for positive acquisition adjustments for these systems. Therefore, staff disagrees with OPC's contention that the only change in circumstances since the previous applications is the amendment to the acquisition adjustment rule, and believes that CSWR has adequately demonstrated a change in circumstances sufficient to allow consideration of an acquisition adjustment for these systems under the amended rule.

2. Public Interest

In addition to changed circumstances, staff also believes that it is in the public interest to allow CSWR's requests for acquisition adjustments to go forward. Positive acquisition adjustments create an incentive for larger, more sophisticated entities to purchase struggling, non-viable water and wastewater systems. Staff believes that these types of transfers benefit customers because they inject much-needed capital into their water and wastewater systems to improve both water quality and customer service. Additionally, such transfers may provide the benefits of economies of scale and promote operational and financial stability in otherwise struggling, non-viable systems. Staff therefore believes that it is in the public interest to allow CSWR to go forward with its requests for positive acquisition adjustments for these two systems.

C. Application of Rule 25-30.0371, F.A.C.

Staff disagrees with OPC's contention that CSWR is seeking retroactive application of amended Rule 25-30.0371, F.A.C. Rather than a substantive rule change, staff believes that the amended rule merely provided a procedural clarification of the previous rule. Furthermore, instead of seeking retroactive rule application, CSWR is making fresh applications under the amended rule. The amended rule allows utilities to come in any time within three years of transfer of systems to request an acquisition adjustment. CSWR has come in within the three-year window and therefore should qualify for relief under the amended rule.

Conclusion

For the reasons stated above, staff recommends that the Commission deny OPC's Motions to Dismiss. Staff believes that changed circumstances and the public interest warrant consideration of CSWR's instant petitions for positive acquisition adjustments for Neighborhood and Rolling Oaks. Additionally, staff disagrees with OPC's contention that CSWR is seeking retroactive application of amended Rule 25-30.0371, F.A.C. Whether the petitions for positive acquisition adjustment should be approved will be addressed in a later staff recommendation.

Issue 2: Should these dockets be closed?

Recommendation: Docket Nos. 20250130-WS and 20250136-WS should remain open to allow the Commission to address CSWR's requested acquisition adjustments for Neighborhood and Rolling Oaks. (Crawford, Bloom)

Staff Analysis: Docket Nos. 20250130-WS and 20250136-WS should remain open to allow the Commission to address CSWR's requested acquisition adjustments for Neighborhood and Rolling Oaks.

Item 8

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-

DATE: June 24, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Engineering (Wooten, Ellis, King, Ramos, Sanchez, Willis) *LK*
Division of Accounting and Finance (D. Buys, D'Sa, Gatlin, Higgins, Mason, *MC*
Vogel)
Division of Economics (Hampson) *JP*
Office of the General Counsel (Thompson, Hixon) *JSC*

RE: Docket No. 20260026-GU – Application for rate increase by Florida City Gas.

AGENDA: 07/07/26 – Regular Agenda – Decision on Interim Rates – Participation is at the Commission's Discretion

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: La Rosa

CRITICAL DATES: 07/07/26 (60-day provision of Section 366.071(2), F.S.,
waived by Company until 07/07/26)

SPECIAL INSTRUCTIONS: None

Case Background

On April 20, 2026, Florida City Gas (FCG or Company) filed a petition seeking the Florida Public Service Commission's (Commission) approval of a rate increase and associated request for interim rate relief. FCG is a natural gas local distribution company providing sales and transportation of natural gas and is a public utility subject to this Commission's regulatory jurisdiction under Section 366.02, Florida Statutes (F.S.). As a subsidiary of Chesapeake Utilities Corporation, FCG currently serves approximately 125,000 residential, commercial, and industrial natural gas customers in Miami-Dade, Broward, St. Lucie, Indian River, Brevard, Palm Beach, Hendry, and Martin counties. The Company's last rate case was filed on May 31, 2022,

and rates were last established by the Commission by order on June 9, 2023, and as subsequently clarified on October 2, 2023.¹

FCG requested a total base revenue increase of \$63.3 million based on a projected 2027 Test Year, which includes an incremental base rate revenue requirement of \$46.9 million, and the reclassification of the Safety, Access, and Facility Enhancement program revenues in the amount of \$16.4 million from surcharge recovery to base rates, which is ultimately revenue neutral. Pursuant to Sections 366.06(2) and (4), F.S., FCG requested that this rate case proceed under the Commission's hearing process.

On June 2, 2026, the Commission suspended the proposed permanent increase in rates and charges to allow staff and the parties time to analyze the request and for the Commission to conduct an administrative hearing.²

This recommendation addresses FCG's requested interim rate increase in its base rates and charges to generate \$16,244,207 in additional gross revenues until the permanent rates become effective. The Company has based its interim request on a historical test year which ended December 31, 2025. In its petition, FCG stated that it will hold any revenues collected, subject to refund, with interest at a rate determined pursuant to Rule 25-6.0435(3), Florida Administrative Code (F.A.C.), and that it be allowed to collect the interim increase subject to a corporate undertaking.

On February 20, 2026, the Commission acknowledged the Office of Public Counsel's (OPC) Notice of Intervention in this proceeding.³ In compliance with Section 366.06(2), F.S., an administrative hearing has been scheduled for September 28 – October 2, 2026.

The Commission has jurisdiction over this request under Sections 366.06 and 367.071, F.S.

¹ See Order Nos. PSC-2023-0177-FOF-GU, issued June 9, 2023, and PSC-2023-0299-FOF-GU, issued October 2, 2023, in Docket No. 20220069-GU, *In re: Petition for rate increase by Florida City Gas*.

² Order No. PSC-2026-0153-PCO-GU, issued May 15, 2026, in Docket No. 20260026-GU, *In re: Petition for rate increase by Florida City Gas*.

³ Order No. PSC-2026-0051-PCO-GU, issued February 20, 2026, in Docket No. 20260026-GU, *In re: Petition for rate increase by Florida City Gas*.

Discussion of Issues

Issue 1: Is FCG's proposed interim rate base appropriate?

Recommendation: Yes. The appropriate interim rate base is \$551,813,687 for the purposes of determining interim rates. (Mason)

Staff Analysis: In its filing, the Company proposed an interim year-end rate base to determine interim rates of \$551,813,687 for the period ending on December 31, 2025. Pursuant to Section 366.071(5)(a), F.S., the Company is permitted to use either an average investment rate base or an end-of-period investment rate base for the purposes of setting interim rates. Staff reviewed the rate base adjustments made in the current interim filing for consistency with the Commission-approved adjustments in FCG's last rate case proceeding, where appropriate, as well as other applicable dockets.⁴ Based on staff's review, it appears that the Company made applicable adjustments that are consistent with the prior Commission Orders.

As such, staff recommends that \$551,813,687 is the appropriate amount of rate base for the historical interim test year ended December 31, 2025. The calculations are shown on Attachment A.

⁴ Order No. PSC-2023-0177-FOF-GU.

Date: June 24, 2026

Issue 2: Is FCG's proposed interim return on equity and overall rate of return appropriate?

Recommendation: Yes. The appropriate return on equity for FCG is 8.50 percent and the overall average weighted cost of capital should be 7.16 percent for the purposes of determining interim rates. (D'Sa, D. Buys)

Staff Analysis: For purposes of its interim rate request, FCG used a weighted average cost of capital of 7.16 percent based on a return on equity (ROE) of 8.50 percent. Pursuant to Section 366.071(5)(b)3., F.S., the appropriate ROE for purposes of determining an interim rate increase is the minimum of the range of the Company's last authorized ROE established in the most recent rate proceeding. In its last rate case, FCG's ROE midpoint was set at 9.50 percent, with a range of plus or minus 100 basis points.⁵ FCG correctly reflected an ROE of 8.50 percent in its calculation of the overall rate of return.

Consistent with Section 366.071(5)(a), F.S., the Company used an end-of-year capital structure based on the most recent 12-month period ended December 31, 2025, to calculate the weighted average cost of capital as reflected in MFR Schedule F-8. In FCG's most recent rate case proceeding in 2022, the capital structure was based on Florida Power & Light Company's (FPL) capital structure.⁶ Since the last rate proceeding, FCG was purchased by Chesapeake Utilities Corporation (CUC) which has a different capital structure than FPL. FCG made adjustments to the capital structure to reflect the same ratio of total capital as that of CUC.

Staff believes that FCG's calculation of the ROE and weighted average cost of capital for the purpose of setting interim rates is reasonable and consistent with Section 367.071, F.S., and therefore, recommends that an ROE of 8.50 percent and an overall rate of return of 7.16 percent is appropriate for the purpose of determining interim rates. Attachment B details the calculations of the Company's overall cost of capital.

⁵ Order No. PSC-2023-0177-FOF-GU.

⁶ *Id.*

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Issue 3: Is FCG's proposed interim test year net operating income appropriate?

Recommendation: Yes. The appropriate interim test year net operating income is \$27,498,041 for the purpose of determining interim rates. (Mason)

Staff Analysis: The proposed net operating income for determining interim rates, FCG reflected \$27,498,041 as the twelve-month amount for the historical interim test year ended December 31, 2025. On March 2, 2026, OPC filed a letter before the Company's Minimum Filing Requirements (MFR) were filed, requesting that the Commission recognize a \$500,000 reduction in depreciation expense in 2025, that had been approved by the Commission.⁷ The Company made this adjustment to the depreciation expense, which was reflected on MFR Schedule F-5 at the time of filing. Staff reviewed the net operating income adjustments made in the current interim filing for consistency with the Commission-approved adjustments in the last rate case proceeding, as well as other applicable dockets.

Staff's recommendation of whether the Company is entitled to the proposed interim increase is discussed in Issue 5. If it is determined that interim relief should be granted to FCG then staff recommends that the appropriate net operating income amount for the interim test year is \$27,498,041. The calculations are shown on Attachment A.

⁷ Order No. PSC-2023-0177-FOF-GU.

Issue 4: Is FCG's proposed interim net operating income multiplier appropriate?

Recommendation: Yes. The appropriate interim net operating income (NOI) multiplier is 1.3511. (Mason)

Staff Analysis: On MFR Schedule F-6, FCG calculated an interim NOI multiplier of 1.3511, based on a revenue expansion factor of 74.01 percent, using a 21 percent federal income tax rate, a 5.5 percent state income tax rate, a 0.3597 percent bad debt rate, and a 0.5 percent factor for regulatory assessment fees. Staff has reviewed these rates and found them to be appropriate.

Therefore, staff recommends that 1.3511 is the appropriate interim NOI multiplier. The calculations are shown below:

Table 4-1
Interim NOI Multiplier

<u>Description</u>	
Revenue Requirement	100.0000%
Regulatory Assessment Fee	-0.5000%
Bad Debt Rate	<u>-0.3597%</u>
Net Before Income Tax	99.1403%
State and Income Tax @ 5.5%	-5.4527%
Federal Income Tax @ 21%	<u>-19.6744%</u>
Revenue Expansion Factor	<u>74.0132%</u>
NOI Multiplier (100/74.0100)	<u>1.3511</u>

Date: June 24, 2026

Issue 5: Should FCG's requested interim revenue increase be granted?

Recommendation: Yes. The requested interim revenue increase of \$16,244,207 should be granted. (Mason)

Staff Analysis: FCG requested interim rate relief of \$16,244,207 for the historical test year ended December 31, 2025. The interim revenue increases would allow FCG an opportunity to earn an overall rate of return of 7.16 percent based on the minimum range of return on equity of 8.50 percent.

As such, staff recommends that the appropriate revenue increase is \$16,244,207 for the historical test year ended December 31, 2025. After a determination of the permanent rate increase has been made, the interim rate increase will be reviewed to determine if any portion should be refunded to customers. The calculation of interim rate relief is shown in Table 5-1.

Table 5-1
Interim Revenue Increase

<u>Description</u>	
Jurisdictional Adjusted Rate Base	\$ 551,813,687
Overall Rate of Return	<u>7.16%</u>
Jurisdictional Net Operating Income	\$39,520,896
Jurisdictional Adjusted Net Operating Income	(\$27,498,041)
Revenue Deficiency	\$12,022,856
Net Operating Income Multiplier	<u>1.3511</u>
Interim Revenue Increase	\$16,244,207
Base Rate Revenues	\$86,770,676
Recommended Percentage Increase Factor	18.72%

Date: June 24, 2026

Issue 6: Should Florida City Gas' proposed interim rates and associated tariffs be approved?

Recommendation: Yes, Florida City Gas' proposed interim rates and associated tariffs, as shown in Attachment C, should be approved. The interim rates should be made effective for all meter readings made on or after thirty days from the date of the Commission vote and decision herein. Pursuant to Rule 25-22.0406(8), F.A.C., the Company should provide notice to customers of the revised rates with the first bill containing the new rates. (Hampson)

Staff Analysis: As discussed in FCG witness Baugh's direct testimony, the proposed interim rates were calculated using the methodology contained in Rule 25-7.040, F.A.C., which requires that any increase be applied evenly across the board to all rate classes based on their base rate revenues. As discussed in Issue 5, staff recommends an interim increase of \$16,244,207, as proposed by FCG. MFR schedule F-10 (Year-End), page 2, demonstrates the calculation of the interim percentage increase (18.72 percent) allocated to each rate class and the resulting proposed interim rates. The distribution charge for RS-100 customers would increase from \$0.57421 per therm to \$0.91507 per therm. The total monthly bill for residential customers using 14 therms per month would increase approximately \$4.77, excluding taxes.

On May 21, 2026, FCG provided a draft customer notice for staff review and approval. Florida City Gas' proposed interim rates and associated tariffs, as shown in Attachment C, should be approved. The interim rates should be made effective for all meter readings made on or after thirty days from the date of the Commission vote and decision herein. Pursuant to Rule 25-22.0406(8), F.A.C., the Company should provide notice to customers of the revised rates with the first bill containing the new rates.

Date: June 24, 2026

Issue 7: What is the appropriate security to guarantee the amount subject to refund?

Recommendation: The appropriate security to guarantee the funds collected subject to refund is a corporate undertaking guaranteed by Chesapeake Utilities Corporation on behalf of FCG. (D'Sa, Buys)

Staff Analysis: Section 367.071(2)(a), F.S., requires that the difference between the interim rates and the previously authorized rates shall be collected under bond or corporate undertaking subject to refund with interest at a rate ordered by the Commission. The statute also states that the Commission shall determine whether a corporate undertaking may be filed in lieu of a bond. FCG requested an annual interim revenue increase of \$16,244,207 and to use a corporate undertaking to guarantee the maximum amount subject to refund during the period when interim rates are in effect.

The criteria for a corporate undertaking include sufficient liquidity, ownership equity, profitability, and interest coverage to guarantee any potential refund. Based on an estimated eleven-month collection period of interim rates, the maximum amount of revenues that may need to be protected is \$15,144,143. Staff reviewed FCG's three most recent annual reports (2025, 2024, and 2023) filed with the Commission to determine if FCG can support a corporate undertaking in the amount requested.

Based on staff's analysis, FCG's financial information demonstrates the company does not have the financial capacity to support a corporate undertaking in the amount requested. FCG has acceptable levels of liquidity (working capital and current ratio), but inadequate levels of equity, interest coverage, and profitability. The maximum limit for a corporate undertaking is one-half of FCG's most recent year-end net income. FCG's 2025 net income is \$5,169,000 as reported which is one-third of the Company's requested interim increase. In addition, FCG's average net income over the three-year period is also less than the requested corporate undertaking amount. Based on this analysis FCG does not qualify for a stand-alone corporate undertaking.

Alternatively, staff recommends that FCG obtain and file a letter with the Commission from its parent company, CUC, that guarantees the corporate undertaking amount on behalf of FCG. Staff reviewed CUC's three most recent annual reports (2025, 2024, and 2023) filed with the Securities and Exchange Commission (SEC) and confirmed that CUC has the financial capacity to guarantee a corporate undertaking on behalf of FCG. On June 9, 2026, FCG filed a letter with the Commission from CUC confirming CUC's financial commitment to guarantee a corporate undertaking in an amount up to \$15,144,143.⁸ This brief financial analysis is only appropriate for deciding if FCG can support a corporate undertaking in the amount requested and should not be considered a finding regarding staff's position on other issues in this proceeding.

Accordingly, staff recommends the appropriate security to guarantee the funds collected subject to refund is a corporate undertaking guaranteed by CUC of behalf of FCG.

⁸ Document No. 03404-2026, filed on June 9, 2026.

Date: June 24, 2026

Issue 8: Should this docket be closed?

Recommendation: No. This docket should remain open pending the Commission's final resolution of the Company's requested rate increase. (M. Thompson, Hixon)

Staff Analysis: This docket should remain open pending the Commission's final resolution of the Company's requested rate increase.

**Florida City Gas, INC.
Docket No. 20260026-GU
Interim Base Year
December 31, 2025**

	Historical Test Year Per Company	Staff Adjustments	Adjusted Historical Test Year Per Staff
<u>Rate Base</u>			
Plant in Service	\$687,104,836	-	\$687,104,836
Common Plant Allocated	4,170,712	-	4,170,712
Customer Advances	-	-	-
Acquisition Adjustment	21,656,835	-	21,656,835
Accumulated Depreciation	(218,834,606)	-	(218,834,606)
Net Plant in Service	\$494,097,777	-	\$494,097,777
Construction Work In Progress	31,519,126	-	31,519,126
Net Utility Plant	\$525,616,903	-	\$525,616,903
Working Capital Allowance	26,196,785	-	26,196,785
Total Rate Base	\$551,813,688	-	\$551,813,688
 <u>Income Statement</u>			
Total Operating Revenues	\$96,370,576	-	\$96,370,576
Operations & Maintenance	\$40,130,443	-	\$40,130,443
Depreciation	17,176,614	-	17,176,614
Amortization	314,757	-	314,757
Taxes Other Than Income	7,702,347	-	7,702,347
Income Taxes - Federal	(5,852,708)	-	(5,852,708)
Income Taxes – State	5,090,436	-	5,090,436
Deferred Income Taxes - Federal	8,962,592	-	8,962,592
Deferred Income Taxes - State	(4,651,946)	-	(4,651,946)
Total Operating Expenses	\$68,872,535	-	\$68,872,535
Net Operating Income	\$27,498,041	-	\$27,498,041
Overall Rate of Return	4.98%		4.98%
Return on Equity	8.50%		8.50%

**Florida City Gas, INC.
Docket No. 20260026-GU
Interim Base Year
December 31, 2025**

Capital Component	Jurisdictional Capital		Cost Rate	Weighted Cost Rate
	Structure	Ratio		
Long-Term Debt	\$23,101,485	4.19%	4.47%	0.19%
Long-Term Debt – FCG Direct	216,511,807	39.24%	6.67%	2.62%
Short-Term Debt	25,920,670	4.70%	5.97%	0.28%
Customer Deposits	4,323,538	0.78%	2.34%	0.02%
Common Equity	263,609,716	47.77%	8.50%	4.06%
Deferred Income Taxes	10,304,257	1.87%	0.00%	0.00%
Other (FAS 109)	8,042,215	1.46%	0.00%	0.00%
Total	<u>\$551,813,687</u>	<u>100.00%</u>		<u>7.16%</u>

Florida City Gas
FPSC Natural Gas Tariff
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~~Third~~Fourth Revised Sheet No. 29
Cancels ~~Second~~Third Revised Sheet

RESIDENTIAL SERVICE – 1 (RS-1)

APPLICABILITY

Service is available to Residential Customers using between 0 and 99 therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas delivered by the Company with a heating value on the order of 1,100 British Thermal Units per ~~cubic foot~~cubic foot.

*MONTHLY RATE

Customer Charge	\$18.00
Distribution Charge, per therm	\$0.67667 <u>1.40576</u>
Commodity Charge	Per Rider "A"

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company.

MINIMUM BILL

The minimum monthly bill shall be the Customer Charge.

TERMS OF PAYMENT

Bills are due upon receipt by the Customer and become delinquent if unpaid after expiration of twenty days from date of mailing or other delivery thereof by the Company.

SPECIAL CONDITIONS OF SERVICE

1. Application of this rate is subject to the general Rules and Regulations of the Company as they may be in effect from time to time and as filed with the regulatory authorities.
2. Each year the Company shall re-determine each Customer's eligibility based on their annual usage. If reclassification to another schedule is appropriate such reclassification shall be prospective only and shall not be retroactive.

Issued by:
~~Issued by: Jeffrey Sylvester, Chief Operating Officer-~~
FCG MFR000542

Effective: ~~December 01, 2023~~

Florida City Gas
FPSC Natural Gas Tariff
Volume No. 11

~~Third~~Fourth Revised Sheet No. 30
Cancels ~~Second~~Third Revised Sheet

RESIDENTIAL SERVICE - 100 (RS-100)

APPLICABILITY

Service is available to Residential Customers using between 100 and 599 therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas delivered by the Company with a heating value on the order of 1,100 British Thermal Units per cubicfoot.

*MONTHLY RATE

Customer Charge	\$19.00
Distribution Charge, per therm	\$0.57424 0.91507
Commodity Charge	Per Rider "A"

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company.

MINIMUM BILL

The minimum monthly bill shall be the Customer Charge.

TERMS OF PAYMENT

Bills are due upon receipt by the Customer and become delinquent if unpaid after expiration of twenty days from date of mailing or other delivery thereof by the Company.

SPECIAL CONDITIONS OF SERVICE

1. Application of this rate is subject to the general Rules and Regulations of the Company as they may be in effect from time to time and as filed with the regulatory authorities.
2. Each year the Company shall re-determine each Customer's eligibility based on their annual usage. If reclassification to another schedule is appropriate such reclassification shall be prospective only and shall not be retroactive.

Issued by:
~~Issued by: Jeffery Sylvester, Chief Operating Officer~~

FCC MER000543

Effective: ~~December 01, 2023~~

Florida City Gas
FPSC Natural Gas Tariff
Volume No. 11

~~Third~~Fourth Revised Sheet No. 31
Cancels ~~Second~~Third Revised Sheet

RESIDENTIAL SERVICE - 600 (RS-600)

APPLICABILITY

Service is available to Residential Customers using 600 or more therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas delivered by the Company with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

Customer Charge	\$25.00
Distribution Charge, per therm	\$0.70799 <u>0.91517</u>
Commodity Charge	Per Rider "A"

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company.

MINIMUM BILL

The minimum monthly bill shall be the Customer Charge.

TERMS OF PAYMENT

Bills are due upon receipt by the Customer and become delinquent if unpaid after expiration of twenty days from date of mailing or other delivery thereof by the Company.

SPECIAL CONDITIONS OF SERVICE

1. Application of this rate is subject to the general Rules and Regulations of the Company as they may be in effect from time to time and as filed with the regulatory authorities.
2. Each year the Company shall re-determine each Customer's eligibility based on their annual usage. If reclassification to another schedule is appropriate such reclassification shall be prospective only and shall not be retroactive.

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~~Issued by: Jeffrey Sylvester, Chief Operating Officer~~

FCC MER000544

Effective: ~~December 01, 2023~~

Florida City Gas
FPSC Natural Gas Tariff
Volume No. 11

~~Third~~Fourth Revised Sheet No. 32
Cancels ~~Second~~Third Revised Sheet

GENERAL SERVICE - 1 (GS-1)

APPLICABILITY

Service is available to Non-Residential Customers using between 0 and 5,999 therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas, including RNG delivered into the Company's system by any customer, delivered by the Company or Customers' Third Party Supplier ("TPS") with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

	<u>Gas Supply from PGA</u>	<u>Gas Supply from TPS</u>
Customer Charge	\$31.00	\$31.00
Distribution Charge, per therm	\$0.57949 <u>0.7192</u>	\$0.57949 <u>0.71926</u>
Commodity Charge	<u>6</u> Per Rider "A"	Per TPS Agreement

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company. A Customer that receives gas supply from a TPS will be charged by the TPS for commodity according to any agreement between the Customer and the TPS. Only Non-Residential Customers are eligible to receive gas supply from a TPS.

MINIMUM BILL

The minimum monthly bill shall be the Customer Charge.

TERMS OF PAYMENT

Bills are due upon receipt by the Customer and become delinquent if unpaid after expiration of twenty days from date of mailing or other delivery thereof by the Company.

SPECIAL CONDITIONS OF SERVICE

1. Application of this rate is subject to the general Rules and Regulations of the Company as they may be in effect from time to time and as filed with the regulatory authorities.
2. Each year the Company shall re-determine each Customer's eligibility based on their annual usage. If reclassification to another schedule is appropriate such reclassification shall

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FCC MER000545

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~~Third~~Fourth Revised Sheet No. 33
Cancels ~~Second~~Third Revised Sheet

be prospective only and shall not be retroactive.

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FCC MER000546

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Florida City Gas
FPSC Natural Gas Tariff
No. 34
Volume No. 11
No. 34

~~Third~~Fourth Revised Sheet
Cancels ~~Second~~Third Revised Sheet

GENERAL SERVICE - 6K (GS-6K)

APPLICABILITY

Service is available to Non-Residential Customers using between 6,000 and 24,999 therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas, including RNG delivered into the Company's system by any customer, delivered by the Company or Customers' Third Party Supplier ("TPS") with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

	<u>Gas Supply from PGA</u>	<u>Gas Supply from TPS</u>
Customer Charge	\$44.00	\$44.00
<u>Distribution Charge, per therm</u>	<u>\$0.58814</u>	<u>\$0.58814</u>
Distribution Charge, per therm	\$0.48722	\$0.48722
Commodity Charge	Per Rider "A"	Per TPS Agreement

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company. A Customer that receives gas supply from a TPS will be charged by the TPS for commodity according to any agreement between the Customer and the TPS. Only Non-Residential Customers are eligible to receive gas supply from a TPS.

MINIMUM BILL

The minimum monthly bill shall be the Customer Charge.

TERMS OF PAYMENT

Bills are due upon receipt by the Customer and become delinquent if unpaid after expiration of twenty days from date of mailing or other delivery thereof by the Company.

SPECIAL CONDITIONS OF SERVICE

1. Application of this rate is subject to the general Rules and Regulations of the Company as they may be in effect from time to time and as filed with the regulatory authorities.

2. Each year the Company shall re-determine each Customer's eligibility based on
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FCG MFR000547

their annual usage. If reclassification to another schedule is appropriate such reclassification shall be prospective only and shall not be retroactive.

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Florida City Gas
FPSC Natural Gas Tariff
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~~Second~~Third Revised Sheet No. 36
Cancels ~~First~~Second Revised Sheet No. 36

GENERAL SERVICE - 25K (GS-25K)

APPLICABILITY

Service is available to Non-Residential Customers using between 25,000 and 119,999 therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas, including RNG delivered into the Company's system by any customer, delivered by the Company or Customers' Third Party Supplier ("TPS") with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

	<u>Gas Supply from PGA</u>	<u>Gas Supply from TPS</u>
Customer Charge	\$188.00	\$188.00
Distribution Charge, per therm	\$0.44046 <u>0.53493</u>	\$0.44046 <u>0.53493</u>
Commodity Charge	Per Rider "A"	Per TPS Agreement

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company. A Customer that receives gas supply from a TPS will be charged by the TPS for commodity according to any agreement between the Customer and the TPS. Only Non-Residential Customers are eligible to receive gas supply from a TPS.

MINIMUM BILL

The minimum monthly bill shall be the Customer Charge.

TERMS OF PAYMENT

Bills are due upon receipt by the Customer and become delinquent if unpaid after expiration of twenty days from date of mailing or other delivery thereof by the Company.

SPECIAL CONDITIONS OF SERVICE

1. Application of this rate is subject to the general Rules and Regulations of the Company as they may be in effect from time to time and as filed with the regulatory authorities.
2. Each year the Company shall re-determine each Customer's eligibility based on their annual usage. If reclassification to another schedule is appropriate such reclassification shall be prospective only and shall not be retroactive.

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FCG MFR000549

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~~Third~~Fourth Revised Sheet No. 38
Cancels ~~Second~~Third Revised Sheet

GENERAL SERVICE - 120K (GS -120K)

APPLICABILITY

Service is available to Non-Residential Customers using between 120,000 and 1,249,999 therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas, including RNG delivered into the Company's system by any customer, delivered by the Company or Customers' Third Party Supplier ("TPS") with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

	<u>Gas Supply from PGA</u>	<u>Gas Supply from TPS</u>
Customer Charge	\$375.00	\$375.00
Demand Charge, per DCQ	\$0.719	\$0.719
Distribution Charge, per therm	\$0.28336 <u>0.34948</u>	\$0.28336 <u>0.3494</u> <u>8</u>
Commodity Charge	Per Rider "A"	Per TPS Agreement

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company. A Customer that receives gas supply from a TPS will be charged by the TPS for commodity according to any agreement between the Customer and the TPS. Only Non-Residential Customers are eligible to receive gas supply from a TPS.

DETERMINATION OF THE DEMAND CHARGE QUANTITY(DCQ)

The DCQ to be used in setting the Customer's Billing DCQ will be determined by the Customer's maximum daily requirements in terms of therm units per day based on readings taken from an Automatic Meter Reading (AMR) device installed at the premise. The DCQ used in setting the Billing DCQ shall be those from the Customer's daily metered therm consumption recorded for a period of up to three (3) years ending each March 31st. If historical consumption information of at least twelve (12) months is not available, then the Billing DCQ level shall be based upon the rating and expected usage of the Customer's gas equipment as determined by the Company.

The Billing DCQ will be determined annually by the Company based on the DCQ history, as determined above. The Customer's Billing DCQ shall be adjusted to reflect the maximum recorded DCQ. Adjustments will be made in April except the Company shall not increase such a Customer's Billing DCQ unless the Customer has had at least three (3) occurrences of DCQ's in excess of their current Billing DCQ.

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FCG MFR000550

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FPSC Natural Gas Tariff
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~~Third~~Fourth Revised Sheet No. 40
Cancels ~~Second~~Third Revised Sheet No. 40

GENERAL SERVICE - 1,250K (GS -1,250K)

APPLICABILITY

Service is available to Non-Residential Customers using between 1,250,000 and 10,999,999 therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas, including RNG delivered into the Company's system by any customer, delivered by the Company or Customers' Third Party Supplier ("TPS") with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

	<u>Gas Supply from PGA</u>	<u>Gas Supply from TPS</u>
Customer Charge	\$625.00	\$625.00
Demand Charge, per DCQ	\$0.719	\$0.719
Distribution Charge, per therm	\$0.14073 <u>0.17957</u>	\$0.14073 <u>0.17957</u>
Commodity Charge	Per Rider "A"	Per TPS Agreement

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company. A Customer that receives gas supply from a TPS will be charged by the TPS for commodity according to any agreement between the Customer and the TPS. Only Non-Residential Customers are eligible to receive gas supply from a TPS.

DETERMINATION OF THE DEMAND CHARGE QUANTITY(DCQ)

The DCQ to be used in setting the Customer's Billing DCQ will be determined by the Customer's maximum daily requirements in terms of therm units per day based on readings taken from an Automatic Meter Reading (AMR) device installed at the premise. The DCQ used in setting the Billing DCQ shall be those from the Customer's daily metered therm consumption recorded for a period of up to three (3) years ending each March 31st. If historical consumption information of at least twelve (12) months is not available, then the Billing DCQ level shall be based upon the rating and expected usage of the Customer's gas equipment as determined by the Company.

The Billing DCQ will be determined annually by the Company based on the DCQ history, as determined above. The Customer's Billing DCQ shall be adjusted to reflect the maximum recorded DCQ. Adjustments will be made in April except the Company shall not increase such a Customer's Billing DCQ unless the Customer has had at least three (3) occurrences of DCQ's in excess of their current Billing DCQ.

Issued by:
~~Issued by: Jeffrey Sylvester, Chief Operating Officer~~

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Florida City Gas
FPSC Natural Gas Tariff
Volume No. 11

~~Second~~Third Revised Sheet No. 42
Cancels ~~First~~Second Revised Sheet No. 42

GENERAL SERVICE – 11M (GS - 11M)

APPLICABILITY

Service is available to Non-Residential Customers using between 11,000,000 and 24,999,999 therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas, including RNG delivered into the Company's system by any customer, delivered by the Company or Customers' Third Party Supplier ("TPS") with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

	<u>Gas Supply from PGA</u>	<u>Gas Supply from TPS</u>
Customer Charge	\$1,250.00	\$1,250.00
Demand Charge, per DCQ	\$0.719	\$0.719
Distribution Charge, per therm	\$0.10320	\$0.10320
Commodity Charge	Per Rider "A"	Per TPS Agreement

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company. A Customer that receives gas supply from a TPS will be charged by the TPS for commodity according to any agreement between the Customer and the TPS. Only Non-Residential Customers are eligible to receive gas supply from a TPS.

DETERMINATION OF THE DEMAND CHARGE QUANTITY(DCQ)

The DCQ to be used in setting the Customer's Billing DCQ will be determined by the Customer's maximum daily requirements in terms of therm units per day based on readings taken from an Automatic Meter Reading (AMR) device installed at the premise. The DCQ used in setting the Billing DCQ shall be those from the Customer's daily metered therm consumption recorded for a period of up to three (3) years ending each March 31st. If historical consumption information of at least twelve (12) months is not available, then the Billing DCQ level shall be based upon the rating and expected usage of the Customer's gas equipment as determined by the Company.

The Billing DCQ will be determined annually by the Company based on the DCQ history, as determined above. The Customer's Billing DCQ shall be adjusted to reflect the maximum recorded DCQ. Adjustments will be made in April except the Company shall not increase such a Customer's Billing DCQ unless the Customer has had at least three (3) occurrences of DCQ's in excess of their current Billing DCQ.

Issued by:
~~Issued by: Jeffrey Sylvester, Chief Operating Officer~~
FCG MFR000552

Effective: ~~December 01, 2023~~

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[Third Revised Sheet No. 44](#)
Cancels ~~First~~[Second](#) Revised Sheet No. 44

GENERAL SERVICE – 25M (GS - 25M)

APPLICABILITY

Service is available to Non-Residential Customers using 25,000,000 or more therms per year as determined by the Company.

CHARACTER OF SERVICE

A firm delivery service of gas, including RNG delivered into the Company's system by any customer, delivered by the Company or Customers' Third Party Supplier ("TPS") with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

	<u>Gas Supply from PGA</u>	<u>Gas Supply from TPS</u>
Customer Charge	\$2,500.00	\$2,500.00
Demand Charge, per DCQ	\$0.719	\$0.719
Distribution Charge, per therm	\$0.05160	\$0.05160
Commodity Charge	Per Rider "A"	Per TPS Agreement

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company. A Customer that receives gas supply from a TPS will be charged by the TPS for commodity according to any agreement between the Customer and the TPS. Only Non-Residential Customers are eligible to receive gas supply from a TPS.

DETERMINATION OF THE DEMAND CHARGE QUANTITY(DCQ)

The DCQ to be used in setting the Customer's Billing DCQ will be determined by the Customer's maximum daily requirements in terms of therm units per day based on readings taken from an Automatic Meter Reading (AMR) device installed at the premise. The DCQ used in setting the Billing DCQ shall be those from the Customer's daily metered therm consumption recorded for a period of up to three (3) years ending each March 31st. If historical consumption information of at least twelve (12) months is not available, then the Billing DCQ level shall be based upon the rating and expected usage of the Customer's gas equipment as determined by the Company.

The Billing DCQ will be determined annually by the Company based on the DCQ history, as determined above. The Customer's Billing DCQ shall be adjusted to reflect the maximum recorded DCQ. Adjustments will be made in April except the Company shall not increase such a Customer's Billing DCQ unless the Customer has had at least three (3) occurrences of DCQ's in excess of their current Billing DCQ.

Issued by:
[Florida City Gas](#)

FCG MFR000553

Effective:

~~Third~~Fourth Revised Sheet No. 46
Cancels ~~Second~~Third Revised Sheet No. 46

Florida City Gas
FPSC Natural Gas Tariff
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~~Second~~Third Revised Sheet No. 47
Cancels ~~First~~Second Revised Sheet

RESIDENTIAL STANDBY GENERATOR SERVICE (RSG)

APPLICABILITY

Service is available to Residential Customers whose only gas usage is for a standby electric generator.

CHARACTER OF SERVICE

A firm delivery service of gas delivered by the Company with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

Customer Charge:	\$25.00	
Distribution Charge:	0 - 14 therms	\$0.00000 per therm
	More than 14 therms	\$0.67424 <u>2.63782</u> per therm

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company.

MINIMUM BILL

The minimum monthly bill shall be the Customer Charge.

TERMS OF PAYMENT

Bills are due upon receipt by the Customer and become delinquent if unpaid after expiration of twenty days from date of mailing or other delivery thereof by the Company.

SPECIAL CONDITIONS OF SERVICE

1. Subject to special condition 3 below, a customer receiving service under this schedule shall remain obligated to remain on this schedule for 12 months. This 12-month requirement shall be renewed at the end of each 12-month term unless the customer terminates the service in writing within 30 days before the end of the term.
2. If the customer terminates the service before the 12-month term ends, the Customer will be billed the minimum bill for the remaining months of the service.
3. If the customer installs an additional gas appliance at the premise at which service is provided, then the customer will be transferred to the applicable rate schedule based on total therms.
4. Application of this rate is subject to the general Rules and Regulations of the Company as they may be in effect from time to time and as filed with the regulatory authorities.

Issued by:
~~Issued by: Jeffrey Sylvester, Chief Operating Officer~~

FCG MER000555

Effective: ~~December 01, 2023~~

Florida City Gas
FPSC Natural Gas Tariff
Volume No. 11

~~Second~~Third Revised Sheet No. 48
Cancels ~~First~~Second Revised Sheet

COMMERCIAL STANDBY GENERATOR SERVICE (CSG)

APPLICABILITY

Service is available to Non-residential Customers whose only gas usage is for a standby electric generator with annual consumption of less than 120,000 therms.

CHARACTER OF SERVICE

A firm delivery service of gas delivered by the Company with a heating value on the order of 1,100 British Thermal Units per cubic foot.

*MONTHLY RATE

Customer Charge:	\$36.00	
Distribution Charge:	0 - 26 therms	\$0.00000 per therm
	More than 26 therms	\$0.57949 <u>1.15159</u> per therm

*The charges set forth in this Rate Schedule will be adjusted for all other applicable Riders of this Tariff and any additional taxes, assessments or similar charges that are lawfully imposed by the Company. A customer that receives gas supply from a TPS will be charged by the TPS for commodity according to any agreement between the Customer and the TPS.

MINIMUM BILL

The minimum monthly bill shall be the Customer Charge.

TERMS OF PAYMENT

Bills are due upon receipt by the Customer and become delinquent if unpaid after expiration of twenty days from date of mailing or other delivery thereof by the Company.

SPECIAL CONDITIONS OF SERVICE

1. Subject to special condition 3 below, a Customer receiving service under this schedule shall remain obligated to remain on this schedule for 12 months. This 12-month ~~requirement shall~~requirement shall be renewed at the end of each 12-month term unless the Customer terminates the service in writing within 30 days before the end of the term.

2. If the Customer terminates the service before the 12-month term ends, the Customer will be billed the minimum bill for the remaining months of the service.

3. If the Customer installs an additional gas appliance at the premise at which service is provided, then the Customer will be transferred to the applicable rate schedule based on total therms.

4. Application of this rate is subject to the general Rules and Regulations of the Company as they may be in effect from time to time and as filed with the regulatory authorities.

Issued by:

~~Issued by: Jeffrey Sylvester, Chief Operating Officer~~

Effective: ~~December 01, 2023~~

FCG MER000556

Item 9

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-

DATE: June 24, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Economics (Nguyen, Hampson) *ED*
Office of the General Counsel (Brownless) *JSC*

RE: Docket No. 20260046-EI – Petition for approval of revised underground residential distribution tariffs, by Duke Energy Florida, LLC.

AGENDA: 07/07/26 – Regular Agenda – Tariff Filing – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: 11/30/26 (8-Month Effective Date)

SPECIAL INSTRUCTIONS: None

Case Background

On March 31, 2026, Duke Energy Florida, LLC (DEF or utility) filed a petition for approval of revisions to its underground residential distribution tariffs (URD) and associated charges (2026 Petition). These tariffs represent the estimated additional cost, if any, DEF incurs to provide underground service in place of overhead service in new residential subdivisions. The current URD tariffs and charges were approved in 2023.¹

Rule 25-6.078, Florida Administrative Code (F.A.C.), defines investor-owned utilities' (IOU) responsibilities for filing updated URD tariffs. DEF has filed the instant petition pursuant to subsection (3) of the rule, which requires IOUs to file supporting data and analyses for updated URD tariffs if the cost differential, using current labor and material costs, varies from the Commission-approved differential by more than ten percent. Furthermore, subsection (3) of the

¹ Order No. PSC-2023-0255-TRF-EI, issued August 21, 2023, in Docket No. 20230043-EI, *In re: Petition for approval of revised underground residential distribution tariffs, by Duke Energy Florida, LLC.*

rule also requires IOUs to file supporting data and analyses for updated URD tariffs at least once every three years. On October 7, 2025, pursuant to Rule 25-6.078(3), F.A.C., DEF filed its annual Overhead/Underground Residential Differential Cost Data (Form PSC/ECO 13-E).²

On May 18, 2026, the Commission suspended the proposed tariffs to allow staff sufficient time to analyze the utility's filing.³ Staff issued its first data request on May 12, 2026, for which response was provided on May 26, 2026.⁴

The proposed URD tariffs are contained in the recommendation as Attachment A. The Commission has jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

² Document No. 14343-2025, filed October 7, 2025.

³ Order No. PSC-2026-0154-PCO-EI, issued May 18, 2026, in Docket No. 20260046-EI, *In re: Petition for approval of revised underground residential distribution tariffs, by Duke Energy Florida, LLC*.

⁴ Document No. 03124-2026, filed May 26, 2026.

Date: June 24, 2026

Discussion of Issues

Issue 1: Should the Commission approve DEF's proposed underground residential distribution tariffs and associated charges?

Recommendation: Yes. Staff believes DEF's proposed underground residential distribution tariffs as filed in the petition are cost-based and comply with Rule 25-6.078 F.A.C. The Commission should approve DEF's proposed underground residential distribution tariffs and associated charges as shown in Attachment A, effective on the date of the Commission vote. (Nguyen)

Staff Analysis: The URD tariffs provide charges for underground service in new residential subdivisions and represent the additional costs, if any, the utility incurs to provide underground service in place of overhead service. The cost of standard overhead construction is recovered through base rates from all ratepayers. In lieu of overhead construction, customers have the option of requesting underground facilities. Any additional cost is paid by the customer as a contribution-in-aid-of-construction (CIAC). Typically, the URD customer is the developer of a subdivision.

In prior URD filings, three standard model subdivision designs have been the basis upon which each IOU submits URD tariff changes for Commission approval: low density where there are one or more but less than six dwelling units per acre; high density where there are six or more dwelling units per acre; and a high density subdivision, where dwelling units take service at ganged meter pedestals (group of meters at the same physical location). While actual construction may differ from the model subdivisions, the model subdivisions are designed to reflect average overhead and underground subdivisions. In this petition, DEF did not provide a submission for high density ganged meter services, because DEF does not install services to ganged meter pedestals any longer. In DEF's 2024 settlement agreement, installation to ganged meter pedestals was removed from Part 11.03 of the tariffs.⁵

Costs for underground construction have historically been higher than costs for standard overhead construction, and the additional cost is paid by the customer as CIAC. However, DEF's proposed URD differential charges remain \$0 per lot for the low density and high density subdivisions where DEF is supplying and installing the conduit. For the high density subdivision where DEF is supplying and installing the conduit, the proposed differential decreases from the current \$332 to \$0 per lot. The decrease in the differential is attributable to the net present value of life cycle operational costs including storm restoration and pole attachment revenue causing an offset of any increase in cost differential since the last URD was approved for DEF in 2023.⁶

Table 1-1 below compares the current and proposed URD differentials for the low density and high density meter subdivisions for single-phase service as appears in Section IV, Part 11.03 of the current and proposed URD tariff. The charges shown are per-lot charges. The proposed URD differential for the high density subdivision is decreasing due to the impact from Hurricanes

⁵ Order No. PSC-2024-0472-AS-EI, issued November 11, 2024, in Docket No. 20240025-EI, *In re: Petition for rate increase by Duke Energy Florida, LLC*.

⁶ DEF's Response to Staff's First Data Request, Response No. 3.

Idalia, Debby, Helene and Milton in 2023 and 2024. These storms impacted overhead facilities more than underground facilities resulting in a 185 percent increase (from -\$550 in 2023 to -\$1565 in 2026) in the credit toward the differential.⁷

Table 1-1
Comparison of URD Differential per Lot (Single-Phase Service)

Subdivision Designs	Current URD Differential	Proposed URD Differential
Low Density	\$0	\$0
High Density	\$332	\$0

Source: Order No. PSC-2023-0255-TRF-EI (Current) and DEF's 2026 Petition (Proposed).

The calculations of the proposed URD charges include: (1) updated labor and material costs along with the associated loading factors and (2) operational costs. The costs are discussed below.

Updated Labor and Material Costs

The installation costs of both overhead and underground facilities include the labor and material costs to provide primary, secondary, and service distribution lines, as well as transformers. The costs of poles are specific to overhead service while the costs of trenching and backfilling are specific to underground service. The utilities are required by Rule 25-6.078(5), F.A.C., to use current labor and material costs.

DEF's labor costs for overhead and underground construction are comprised of costs associated with work performed by both in-house employees and outside contractors. DEF's contracted labor rates are based upon actual labor costs negotiated in bargaining unit contracts and labor rates with contractors. Table 1-2 shown below compares total 2023 and 2026 labor and material costs per lot for the two subdivision designs.

Table 1-2
Labor and Material Costs Per Lot for DEF Trench and Install Conduit

Subdivision Designs	2023 Costs	2026 Costs	Difference
Low Density			
Underground Labor/Material Costs	\$3,454	\$3,506	\$52
Overhead Labor/Material Costs	\$2,749	\$3,231	\$482
Per Lot Differential	\$705	\$275	\$(430)
High Density			
Underground Labor/Material Costs	\$3,003	\$3,553	\$550
Overhead Labor/Material Costs	\$2,121	\$2,266	\$145
Per Lot Differential	\$882	\$1,287	\$405

Source: Order No. PSC-2023-0255-TRF-EI (Current) and DEF's 2026 Petition (Proposed).

As Table 1-2 shows, the majority of the proposed overhead and underground total labor and material costs have increased since the current URD charges were approved in 2023. As reflected, the 2026 costs for overhead and underground labor and materials are higher for both

⁷ DEF's Response to Staff's First Data Request, Response No. 3.

Date: June 24, 2026

subdivision designs, although a greater increase has occurred for overhead, compared to underground. In a data request response, DEF stated overhead costs have escalated more rapidly than underground costs because underground costs have stabilized after a large increase during the 2020 to 2023 time period.⁸

Updated Operational Costs

Rule 25-6.078(4), F.A.C., requires that the differences in net present value (NPV) of operational costs between overhead and underground systems, including average historical storm restoration costs over the life of the facilities, be included in the URD charge. The inclusion of the operational cost is intended to capture longer term costs and benefits of undergrounding.

Operational costs include operations and maintenance costs along with capital costs and represent the cost differential between maintaining and operating an underground versus an overhead system over the life of the facilities. The inclusion of the storm restoration cost in the URD calculations lowers the differential, since an underground distribution system generally incurs less damage than an overhead system as a result of a storm, and therefore, incurs less restoration costs when compared to an overhead system.

The utility used a 5-year average of historical, operational costs (2020-2024) for its calculations in this docket. The methodology used by DEF in this filing for calculating the NPV of operational costs was approved in Order No. PSC-12-0348-TRF-EI.⁹ Staff notes that operational costs may vary among IOUs due to multiple factors, including differences in size of service territory, miles of coastline, regions subject to extreme winds, age of the distribution system, or construction standards.

Table 1-3 shown below presents information on costs that are reflected in the URD tariffs for the two subdivision designs. The table shows the result of adding the proposed 2026 overhead and underground labor and materials cost differentials, as found in Table 1-2, and the NPV of operational costs differentials, including storm costs, to calculate the proposed total cost differential for each design. Note that the per lot differential costs appearing in parentheses are negative values, indicating the overhead costs exceed the underground costs.

Table 1-3
DEF Updated Overhead/Underground Cost Differential

Subdivision Design	2026 Labor and Materials Differential (A)	2026 NPV of Operational Costs Differential (B)	Total Cost Differential Supporting Proposed URD (C) = (A) + (B)
Low Density	\$275	\$(2,051)	\$(1,776)
High Density	\$1,287	\$(1,565)	\$(278)

Source: Exhibit C of DEF's 2026 Petition.

⁸ DEF's Response to Staff's First Data Request, Response No. 1b.

⁹ Order No. PSC-12-0348-TRF-EI, issued July 5, 2012, in Docket No. 110293-EI, *In re: Petition for approval of revised underground residential distribution tariffs, by Progress Energy Florida, Inc.*

Date: June 24, 2026

Negative total cost differentials, as shown in Table 1-3 for both the low density and high density designs, result in the proposed URD differential of \$0, as shown in Table 1-1. For both designs, DEF's positive labor and material cost differential is completely offset by their negative NPV of operational costs differential.

Other Proposed Tariff Changes

Tariff Sheet No. 4.113 of the utility's proposed URD tariff includes the per foot charge for three-phase primary main or feeder mains that need to be installed underground. DEF states the cost for underground feeders decreased approximately 3 percent while overhead feeder costs increased by approximately 10 percent.¹⁰ The net result of this was a decrease in the per foot differential for three-phase primary main conduit provided and installed by DEF, which is proposed to change from \$2.17 per foot to \$0.

Tariff Sheet No. 4.114 of the utility's proposed URD tariff includes the credits per each foot of trench for applicant provided trenching and backfilling for the use of the utility's facilities in the case of both service laterals and primary or secondary systems. Increasing labor and material costs impacted the credits that are available to an applicant (customer) when the applicant provides the trenching and backfill for both primary and/or secondary systems and service laterals. Such credits are proposed to increase from \$4.06 to \$4.28 per foot of trench.

Section IV, Part 11.04 of the utility's proposed URD tariff includes the charge for underground service laterals from existing secondary electric distribution systems. In the proposed URD tariff, there is a requested decrease in the charge for DEF supplied and installed conduit (service laterals, up to 80 feet) from \$983 to \$853. For customer supplied and installed conduit, the proposed decrease is \$619 to \$520.

Section IV, Part 11.05 of the utility's proposed URD tariff includes the charge for underground service laterals replacing existing residential overhead services. The costs for this service have increased compared to costs approved in 2023. DEF states in response to Staff's First Data Request that the cost to remove the existing overhead service and the remaining undepreciated value of the overhead service is higher.¹¹ DEF proposes to increase its charge for installed conduit service lateral from \$1,930 to \$2,286 per service. The utility proposes to increase its customer installed conduit service lateral from \$1,765 to \$1,918 per service.

Conclusion

Staff has reviewed DEF's proposed underground distribution tariffs and associated charges, its accompanying work papers, and the utility's responses to Staff's Data Request. Based on this review, staff believes DEF's proposed underground residential distribution tariffs as filed in the petition are cost-based and comply with Rule 25-6.078, F.A.C. The Commission should approve DEF's proposed underground residential distribution tariffs and associated charges as shown in Attachment A, effective on the date of the Commission vote.

¹⁰ DEF's Response to Staff's First Data Request, Response No. 4.

¹¹ DEF's Response to Staff's First Data Request, Response No. 6a.

Date: June 24, 2026

Issue 2: Should this docket be closed?

Recommendation: If Issue 1 is approved and a protest is filed within 21 days of the issuance of the order, the tariffs should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a Consummating Order. (Brownless)

Staff Analysis: If Issue 1 is approved and a protest is filed within 21 days of the issuance of the order, the tariffs should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a Consummating Order.



SECTION NO. IV
TWENTY-~~THIRD-FOURTH~~ REVISED SHEET NO. 4.113
CANCELS TWENTY-~~SECOND-THIRD~~ REVISED SHEET NO. 4.113

Page 4 of 7

(2) Contribution by Applicant:

(a) Schedule of Charges:

Company standard design underground residential distribution 120/240 volt single-phase service (see also Part 11.03(7)):

To subdivisions with a density of 1.0 or more
but less than six (6) dwelling units per acre:

Duke Provided and Installed Conduit	\$0.00 per dwelling unit
Customer Provided and Installed Conduit for Mainline	\$0.00 per dwelling unit
Customer Provided and Installed Trench and Conduit	\$0.00 per dwelling unit

To subdivisions with a density of six (6) or more
dwelling units per acre:

Duke Provided and Installed Conduit	\$3320 .00 per dwelling unit
Customer Provided and Installed Conduit for Mainline	\$0.00 per dwelling unit
Customer Provided and Installed Trench and Conduit	\$0.00 per dwelling unit

To multi-occupancy buildings..... See Part 11.06(2)

(b) The above costs are based upon arrangements that will permit serving the local underground distribution system within the subdivision from overhead feeder mains. If feeder mains within the subdivision are deemed necessary by the Company to provide and/or maintain adequate service and are required by the Applicant or a governmental agency to be installed underground, the Applicant shall pay the Company the average differential cost between such underground feeder mains within the subdivision and equivalent overhead feeder mains as follows:

Three-phase primary main or feeder charge per trench-foot within subdivision:

(U.G. - Underground, O.H. - Overhead)

#1/0 AWG U.G. vs. #1/0 AWG O.H.:

Duke Provided and Installed Conduit	\$0.00 per foot
Customer Provided and Installed Trench and Conduit	\$0.00 per foot

500 MCM U.G. vs. 336 MCM O.H.:

Duke Provided and Installed Conduit	\$0.00 per foot
Customer Provided and Installed Trench and Conduit	\$0.00 per foot

1000 MCM U.G. vs. 795 MCM O.H.:

Duke Provided and Installed Conduit	\$2,170 .00 per foot
Customer Provided and Installed Trench and Conduit	\$0.00 per foot

The above costs do not require the use of pad-mounted switchgear(s), or terminal pole(s). If such facilities are required, a differential cost for same will be determined by the Company on an individual basis and added to charges determined above.

(Continued on Next Page)

ISSUED BY: Thomas G. Foster, Vice President, Rates & Regulatory Strategy – FL

EFFECTIVE: ~~January 1, 2025~~



SECTION NO. IV
TWENTY-~~THIRD~~ FOURTH REVISED SHEET NO. 4.114
CANCELS TWENTY-~~SECOND~~ ~~THIRD~~ REVISED SHEET NO. 4.114

Page 5 of 7

(2) Contribution by Applicant (continued):

- (c) Credits (not to exceed the "average differential costs" stated in Section 11.03) will be allowed where, by mutual agreement, the Applicant provides trenching and backfilling for the use of the Company's facilities in lieu of a portion of the cash payment described above. These credits, based on the Company's design drawings, are:

Primary and/or Secondary Systems,
for each Foot of Trench..... \$4,064.28

Service Laterals,
for each Foot of Trench..... \$4,064.28

(3) Point of Delivery:

The point of delivery shall be determined by the Company and will be on the front half of the side of the building that is nearest the point at which the underground secondary electric supply is available to the property. The Company will not install a service on the opposite side of the building where the underground secondary electric supply is available to the property. The point of delivery will only be allowed on the rear of the building by special exception. The Applicant shall pay the estimated full cost of service lateral length required in excess of that which would have been needed to reach the Company's designated point of service.

(4) Location of Meter and Socket:

The Applicant shall install a meter socket at the point designated by the Company in accordance with the Company's specifications. Every effort shall be made to locate the meter socket in unobstructed areas in order that the meter can be accessed without going through fences, etc. The Company shall not install a company owned Service Lateral to a Gang Meter Center.

(5) Development of Subdivisions:

The above charges are based on reasonably full use of the land being developed. Where the Company is required to construct underground electric facilities through a section or sections of the subdivision or development where service will not be required for at least two (2) years, the Company may require a deposit from the Applicant before construction is commenced. This deposit, to guarantee performance, will be based on the estimated total cost of such facilities rather than the differential cost. The amount of the deposit, without interest, in excess of any charges for underground service will be returned to the Applicant on a prorata basis at quarterly intervals on the basis of installations to new customers. Any portion of such deposit remaining unrefunded, after five (5) years from the date the Company is first ready to render service from the extension, will be retained by the Company.

(6) Relocation or Removal of Existing Facilities:

If the Company is required to relocate or remove existing overhead and/or underground distribution facilities in the implementation of these Rules, all costs thereof shall be borne exclusively by the Applicant. These costs shall include costs of relocation or removal, the in-place value (less salvage) of the facilities so removed, and any additional costs due to existing landscaping, pavement or unusual conditions.

(7) Other Provisions:

If soil compaction is required by the Governmental or permitting agency in right of way locations where Company trenching is done, an additional charge may be added to the charges set forth in this tariff. The charge will be estimated based on the Governmental or permitting agency's compaction specifications. The Company will not provide trench line soil compaction for the Applicant.

(Continued on Next Page)

ISSUED BY: Thomas G. Foster, Vice President, Rates & Regulatory Strategy – FL

EFFECTIVE: ~~January 1, 2025~~



SECTION NO. IV
TWENTY-~~THIRD~~ **FOURTH** REVISED SHEET NO. 4.115
CANCELS TWENTY-~~SECOND~~ ~~THIRD~~ REVISED SHEET NO. 4.115

Page 6 of 7

11.04 UNDERGROUND SERVICE LATERALS FROM EXISTING SECONDARY ELECTRIC DISTRIBUTION SYSTEMS.

(1) New Underground Service Laterals:

When requested by the Applicant, the Company will install underground service laterals from overhead systems to newly constructed residential buildings.

(2) Contribution by Applicant:

The Applicant shall pay the Company the following average differential cost between an overhead service lateral and an underground service lateral:

For Service Lateral up to 80 feet Duke Supplied and Installed Conduit ~~\$983~~ **\$853**.00
For Service Lateral up to 80 feet Customer Supplied and Installed Conduit..... ~~\$649~~ **\$520**.00

For each foot over 80 feet up to 300 feet Duke Supplied and Installed Conduit.....\$0.00 per foot
For each foot over 80 feet up to 300 feet Customer Supplied and Installed Conduit.....\$0.00 per foot

Service laterals in excess of 300 feet shall be based on a specific cost estimate.

The provisions of Paragraphs 11.03(3) and 11.03(4) are also applicable.

11.05 UNDERGROUND SERVICE LATERALS REPLACING EXISTING RESIDENTIAL OVERHEAD SERVICES:

Applicability:

When requested by the Applicant, the Company will install underground service laterals from existing overhead lines as replacements for existing overhead services to existing residential buildings.

Rearrangement of Service Entrance:

The Applicant shall be responsible for any necessary rearranging of his existing electric service entrance facilities to accommodate the proposed underground service lateral in accordance with the Company's specifications.

Trenching:

The Applicant shall also provide, at no cost to the Company, a suitable trench or installed conduit and perform the backfilling and any landscaping, pavement, or other suitable repairs. If the Applicant requests the Company to supply the trench or remove any additional equipment other than the Service Lateral, the charge to the Applicant for this work shall be based on a specific cost estimate.

Contribution by Applicant:

The charge excluding trenching costs shall be as follows:

For Service Lateral ~~\$1,930~~ **\$2,286**.00 per service

The Applicant may elect to provide and install conduit meeting current Company construction specifications at no cost to the Company in lieu of an open trench. The charge shall be as follows:

For Service Lateral ~~\$1,765~~ **\$1,918**.00 per service

(Continued on Next Page)

ISSUED BY: Thomas G. Foster, Vice President, Rates & Regulatory Strategy – FL

EFFECTIVE: ~~January 1, 2025~~

Item 10

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-

DATE: June 26, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Economics (Guffey, Hampson, Nguyen, Ward) *SKG*
Division of Engineering (Davis, Ellis) *LBK*
Office of the General Counsel (Thompson, Farooqi) *TC*

RE: Docket No. 20260064-EI – Petition for a limited proceeding to approve large load tariff, by Duke Energy Florida, LLC.

AGENDA: 07/07/26 – Regular Agenda – Motion to Dismiss – Participation is at the Commission’s Discretion

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Clark

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

Case Background

On April 22, 2026, Duke Energy Florida, LLC (DEF or Utility) filed a petition for a limited proceeding seeking approval of a new Large Load Customer Policy (LLCP), a Large Load Customer Agreement (LLCA), and revised Contribution in Aid of Construction (CIAC) tariffs. DEF states that this filing complies with newly passed state legislation, Senate Bill 484 (SB 484). The Governor signed SB 484 into law on May 7, 2026, which takes effect on July 1, 2026 (Chapter No. 2026-65, Laws of Florida).

The LLCP and associated LLCA establish a minimum contract term, minimum monthly bill provisions, security requirements, and early termination provisions. Customers subject to the LLCP must also pay a non-refundable system impact fee. Finally, the LLCP contains a CIAC

provision requiring customers to pay 100 percent of the estimated costs to extend service in advance.

Pursuant to the proposed LLCP, potential large load customers would take service under DEF's existing GSD-1 or GSDD-1 rate schedules until a new rate class is established as anticipated in DEF's next rate case filing. In this filing, a large load customer is defined as a customer with a Peak Contract Demand forecast to be greater than or equal to a Monthly Maximum Demand of 50 Megawatts (MW) at a single location. Customers meeting this criteria would be subject to the LLCP and would need to execute the LLCA. Customers already existing on the Utility's system as of December 31, 2025, that meet the demand requirements would not be subject to these additional requirements.

The Office of Public Counsel's (OPC) intervention in this docket was acknowledged by Order No. PSC-2026-0144-PCO-EI, issued May 8, 2026. Florida Rising, Inc. (FR),¹ PCS Phosphate – White Springs (PCS Phosphate),² and the Florida Industrial Power Users Group³ were granted intervention in this docket subject to proof of standing or stipulations that there are sufficient facts to support all elements for standing.

On May 26, 2026, OPC and FR (collectively, Movants) filed a Joint Motion to Dismiss (Joint Motion) requesting the Florida Public Service Commission (Commission) dismiss DEF's petition for failing to meet the requirements of SB 484. On June 2, 2026, DEF and PCS Phosphate separately filed responses to the Joint Motion requesting the Commission deny the Joint Motion and let the case proceed to an evidentiary hearing. No request for oral argument was filed concurrently with the Joint Motion under Rule 25-22.0022(7)(a), F.A.C.; however, participation on this item is within the Commission's discretion.⁴

This is staff's recommendation on the Joint Motion. The Commission has jurisdiction over this matter pursuant to Sections 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

¹ Order No. PSC-2026-0233-PCO-EI.

² Order No. PSC-2026-0234-PCO-EI.

³ Order No. PSC-2026-0238-PCO-EI.

⁴ Under Rule 25-22.0022(7)(a), F.A.C., oral argument at an Agenda Conference will only be entertained for recommended orders and dispositive motions, such as motions to dismiss. Rule 25-22.0022(1), F.A.C., provides that oral argument must be sought by separate written request filed concurrently with the motion on which argument is requested. Failure to timely file a request for oral argument constitutes waiver thereof. However, the Commission may request oral argument on matters over which it presides. Rule 25-22.0022(2), F.A.C.

Date: June 26, 2026

Discussion of Issues

Issue 1: Should the Commission grant the Office of Public Counsel and Florida Rising, Inc.'s Joint Motion to Dismiss?

Recommendation: No. Staff recommends that the Commission deny the Joint Motion to Dismiss because there are material questions of fact to be resolved at an evidentiary hearing. (Thompson, Farooqi)

Staff Analysis:

Standard of Review

A motion to dismiss raises as a question of law the sufficiency of the facts alleged to state a cause of action.⁵ In order to sustain a motion to dismiss, the moving party must show that, accepting all allegations as true, the petition still fails to state a cause of action for which relief may be granted.⁶ The moving party must specify the grounds for the motion to dismiss, and all material allegations must be construed against the moving party in determining if the petitioner has stated the necessary allegations.⁷ A sufficiency determination should be confined to the petition and documents incorporated therein, and the grounds asserted in the motion to dismiss.⁸

To evaluate a motion to dismiss, all allegations in the petition must be viewed as true and in the light most favorable to the petitioner in order to determine whether there is a cause of action upon which relief may be granted.⁹ The “[d]ismissal of a petition shall, at least once, be without prejudice to petitioner’s filing a timely amended petition curing the defect, unless it conclusively appears from the face of the petition that the defect cannot be cured.”¹⁰

Section 120.57(1)(h), F.S., provides that a summary final order shall be granted if it is determined from the pleadings, depositions, answers to interrogatories, and admissions on file, together with affidavits, if any, that (1) no genuine issue as to any material fact exists, and (2) the moving party is entitled as a matter of law to the entry of a final summary order. The purpose of a summary final order is to avoid the expense and delay of trial when no dispute exists concerning the material facts.

Parties’ Positions

In the Joint Motion, the Movants argue that DEF’s petition facially violates Florida law because the tariff does not contain a specific rate, the rate under which large load customers will take

⁵ *Varnes v. Dawkins*, 624 So. 2d 349, 350 (Fla. 1st DCA 1993).

⁶ *Id.* at 350.

⁷ *Matthews v. Matthews*, 122 So. 2d 571 (Fla. 2nd DCA 1960).

⁸ *Barbado v. Green and Murphy, P.A.*, 758 So. 2d 1173 (Fla. 4th DCA 2000).

⁹ See, e.g. *Ralph v. City of Daytona Beach*, 471 So. 2d 1, 2 (Fla. 1983); *Orlando Sports Stadium, Inc. v. State of Florida ex rel. Powell*, 262 So. 2d 881, 883 (Fla. 1972); *Kest v. Nathanson*, 216 So. 2d 233, 235 (Fla. 4th DCA 1986); *Ocala Loan Co. v. Smith*, 155 So. 2d 711, 715 (Fla. 1st DCA 1963).

¹⁰ Section 120.569(2)(c), F.S.

Date: June 26, 2026

service does not comply with SB 484, and the specification of “firm” load is an impermissible narrowing of the statutory language.

In its response in opposition, DEF argues that the Joint Motion presupposes interpretations of SB 484 that have yet to be applied. DEF notes that tariffs are more broad than a simple rate schedule, claimed that the rate under which large load customers will take service will not be shifted to the general body of ratepayers, and argues that the statute specifically recognizes that the company retains “the right to curtail or interrupt service. . . .”

PCS Phosphate also filed a written response opposing the Joint Motion and argue that whether a utility’s petition meets the requirements of a statute is a mixed question of fact and law appropriate for hearing.

Staff Analysis

This case is the first time the Commission will be interpreting the new Chapter 2026-65, Laws of Florida, which the Governor approved on May 7, 2026. The Joint Motion seeks to assume an interpretation of the new law without any opportunity for the parties to solicit facts, argument, and evidence. Staff suggests that there are mixed questions of facts and law that have been raised and, thus, to determine whether or not the criteria set forth in the statute is met, the Commission would benefit from allowing the case to go forward with a hearing. For this reason, staff recommends denying the Joint Motion. The individual arguments from the Joint Motion are discussed more fully below.

Non-Rate Tariff

The Movants argue that SB 484 requires, “[a]t barest minimum, any tariff must actually contain the specific numeric rate or rates at which customers taking service under the tariff will be charged for electric service.” DEF argues that the statute requires a “minimum tariff and service requirements.” The Commission has previously approved tariffs without a specific rate.¹¹ Staff suggests that the parties could provide additional evidence and argument at a full hearing that would assist the Commission’s resolution of this argument. Thus, staff does not recommend dismissal on this ground.

GSD-1/GSDT-1 Rate

The Movants argue that by virtue of large load customers being on the GSD-1 or GSDT-1 rate, DEF’s petition facially violates “the requirement that they ‘reasonably ensure that each large load customer bears its own full cost of service and that such cost is not shifted to the general body of ratepayers.’” DEF argues that because rates for customers have already been set, there is no risk of costs being shifted to the general body. Here, whether each large load customer will bear its own full cost of service under the GSD-1 or GSDT-1 rate is an evidentiary question. Thus, staff does not recommend dismissal on this ground.

¹¹ See, e.g., Order No. PSC-2025-0292-PAA-EG, issued July 29, 2025, in Docket No. 20250048-EG, *In re: Petition for approval of proposed demand-side management plan, by Florida Power & Light Company*, and Order No. PSC-2025-0393-TRF-GU, issued October 22, 2025, in Docket No. 20250057-GU, *In re: Petition for approval of tariff modification for equipment financing, by Florida Public Utilities Company*.

Load Threshold

The Movants argue that SB 484 imposes a requirement that all customers with an anticipated monthly peak of 50 megawatts or more are subject to the statute, but DEF's proposed tariff falls short by only applying to customers with 50 megawatts or more of *firm* capacity. DEF argues that this is an inaccurate interpretation of the statute, and that the proposed tariff complies with the requirements to "not prevent or otherwise hinder the curtailment or interruption" of service to a large load customer. DEF argues the Commission can exercise its discretion in analyzing the operating characteristics of large load customers requiring firm service and those that are interruptible or curtailable. On this issue, staff suggests the parties provide additional argument and evidence that could be introduced and provided to the Commission via the hearing process. Consequently, staff recommends that this is not a valid ground to dismiss the petition.

Conclusion

If, when accepting the allegations in the petition as true there remains a genuine issue of material fact, a motion to dismiss should be denied. Here, questions of material fact remain as to the issues raised in the Joint Motion. Therefore, staff recommends that the Commission deny the Joint Motion.

Issue 2: Should this docket be closed?

Recommendation: No. This docket should remain open pending the Commission's decision on DEF's petition. (Thompson, Farooqi)

Staff Analysis: No. This docket should remain open pending the Commission's decision on DEF's petition.

Item 11

FILED 6/24/2026
DOCUMENT NO. 03708-2026
FPSC - COMMISSION CLERK

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-

DATE: June 24, 2026

TO: Office of Commission Clerk (Teitzman)

FROM: Division of Economics (Ward) *JP*
Office of the General Counsel (Thompson) *JSC*

RE: Docket No. 20260051-EI – Petition for approval of revisions to underground residential differential, underground commercial differential, and contribution-in-aid-of-construction tariffs, by Florida Power & Light Company.

AGENDA: 07/07/26 – Regular Agenda – Tariff Filing – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Administrative

CRITICAL DATES: 12/01/26 (8-Month Effective Date)

SPECIAL INSTRUCTIONS: None

Case Background

On April 1, 2026, Florida Power & Light Company (FPL or utility) filed a petition for revisions to its underground residential differential (URD), underground commercial differential (UCD), and contribution-in-aid-of-construction (CIAC) tariffs. The URD and UCD tariffs apply to new residential and commercial developments and represent the additional costs, if any, FPL incurs to provide underground distribution service in place of overhead service. The CIAC tariffs provide the terms for which a customer is required to cover the non-economic portion of that customer's requested new or upgraded facilities. The petition was filed pursuant to Rule 25-6.078, Florida Administrative Code (F.A.C.), which requires utilities to file a URD tariff every three years.

FPL's current URD and UCD tariffs were approved by Order No. PSC-2023-0253-TRF-EI (2023 Order).¹

Based on current costs, including the net present value of long-term operational costs, FPL does not incur any additional costs to provide residential underground service; therefore, the proposed URD differentials are \$0. The proposed (legislative version) URD and UCD tariffs are contained in Attachment A to the recommendation. The proposed revisions to FPL's CIAC tariffs are also contained in Attachment A to the recommendation.

The Commission suspended FPL's proposed tariffs in Order No. PSC-2026-0155-PCO-EI.² Staff issued one data request for which responses were received on May 29, 2026. The Commission has jurisdiction over this matter pursuant to Sections 366.03, 366.04, 366.05, and 366.06, Florida Statutes (F.S.).

¹Order No. PSC-2023-0253-TRF-EI, issued August 21, 2023, in Docket No. 20230045-EI, *In re: Petition for approval of revisions to underground residential tariff, underground commercial differential tariff, and overhead to underground conversion tariff*, by Florida Power & Light Company.

²Order No. PSC-2026-0155-PCO-EI, issued May 19, 2026, in Docket No. 20260051-EI, *In re: Petition for approval of revisions to underground residential differential, underground commercial differential, and contribution-in-aid-of-construction tariffs*, by Florida Power & Light Company.

Discussion of Issues

Issue 1: Should the Commission approve FPL's proposed URD tariffs and associated charges?

Recommendation: Yes. Staff believes FPL's proposed URD tariffs and associated charges as filed in the petition are cost-based and recommends approval. The Commission should approve FPL's proposed URD tariffs and associated charges as shown in Attachment A, effective 30 days after the Commission vote. (Ward)

Staff Analysis: The URD tariffs provide standard charges for underground service in new residential subdivisions and represent the additional costs, if any, the utility incurs to provide underground service in place of overhead service. The cost of standard overhead construction is recovered through base rates from all ratepayers. In lieu of overhead construction, customers have the option of requesting underground facilities. Typically, the developer of a new residential subdivision would be the utility customer utilizing the URD tariffs. FPL's proposed URD tariffs are provided on pages 3 through 9 of Attachment A.

Traditionally, three standard model subdivision designs have been the basis upon which each investor-owned utility submits URD tariff changes for Commission approval: low density, high density, and a high density subdivision where dwelling units take service at ganged meter pedestals (groups of meters at the same physical location). Examples of this last subdivision type include mobile home and recreational vehicle parks. While actual construction may differ from the model subdivisions, the model subdivisions are designed to reflect average overhead and underground subdivisions.

In its petition, the utility updated its cost calculations and supporting documentation for the three subdivision models cost differentials. The currently approved cost differentials are \$0.00 for all three subdivision models. As shown on Table 1-1, FPL's proposed URD differential charges remain zero for all three subdivision models. A zero URD differential charge is typically the result of the avoided storm restoration costs associated with underground facilities, offsetting any higher labor and material costs associated with underground construction.

Table 1-1
Comparison of Differential per Service Lateral

Types of Subdivision	Current URD Differential	Proposed URD Differential
Low Density	\$0	\$0
High Density	\$0	\$0
Meter Pedestal	\$0	\$0

Sources: 2023 Order and FPL's 2026 filing.

Two primary factors impacted the calculation of FPL's proposed URD charges which are discussed in greater detail below: (1) updated labor and material costs and (2) updated operational costs.

Updated Labor and Material Costs

The installation costs of both underground and overhead facilities include the labor and material costs to provide primary, secondary, and service distribution lines as well as transformers. The costs of poles are specific to overhead service while the costs of trenching and backfilling are specific to underground service. Table 1-2 compares the currently approved 2023 costs and 2026 costs for underground and overhead labor and material for the three subdivision models.

Table 1-2
Labor and Material Costs

Low Density	2023 Costs	2026 Costs	Difference
Underground Labor/Material Costs	\$3,452.54	\$4,654.62	\$1,202.08
Overhead Labor/Material Costs	\$2,543.92	\$3,561.73	\$1,017.81
Per Service Lateral Differential	\$908.62	\$1,092.89	\$184.27
High Density			
Underground Labor/Material Costs	\$2,317.97	\$3,079.53	\$761.56
Overhead Labor/Material Costs	\$1,921.50	\$2,424.31	\$502.81
Per Service Lateral Differential	\$396.47	\$655.22	\$258.75
Meter Pedestal			
Underground Labor/Material Costs	\$1,485.47	\$2,045.92	\$560.45
Overhead Labor/Material Costs	\$1,533.74	\$1,924.96	\$391.22
Per Service Lateral Differential	(\$48.27)	\$120.96	\$169.23

Sources: 2023 Order and FPL's 2026 filing.

While both overhead and underground labor and material costs increased, underground costs increased at a higher rate, resulting in an increase in the differential. In response to staff's data request, response no. 1, the utility explained that the higher overhead and underground construction costs are primarily driven by increased material costs and underground labor increasing more than overhead labor.

Updated Operational Costs

Rule 25-6.078(4), F.A.C., provides that the differences in net present value of operational costs between overhead and underground systems, including average historical storm restoration costs over the life of the facilities, be included in the URD charge. Operational costs include operations and maintenance costs and capital costs. The inclusion of the operational costs is intended to capture longer term costs and benefits of undergrounding. In response to staff's data

Date: June 24, 2026

request, FPL stated that the current URD petition incorporates costs from hurricane events Idalia, Debby, Helene, and Milton. FPL's methodology to calculate the operational costs was approved in Order No. PSC-08-0774-TRF-EI and remains the same in the instant docket.³

Table 1-3 presents the pre-operational (shown in Table 1-2), non-storm operational, and the avoided storm restoration cost differentials between overhead and underground systems. The proposed differential is \$0 when the calculation results in a negative number.

Table 1-3
Components of the URD Charges

Type of Subdivision	Pre-Operational Costs (A)	Non-Storm Operational Costs (B)	Avoided Storm Costs (C)	Proposed URD Differentials (A)+(B)+(C)
Low Density	\$1,092.89	(\$1,757)	(\$1,236)	\$0
High Density	\$655.22	(\$1,491)	(\$1,236)	\$0
Meter Pedestal	\$120.96	(\$1,491)	(\$1,236)	\$0

Source: FPL's 2026 filing.

Conclusion

Staff has reviewed FPL's proposed changes to its URD tariffs and associated charges, the accompanying work papers, and responses to staff's data request. Staff believes FPL's proposed URD tariffs and associated charges as filed in the petition are cost-based and recommends approval of the tariffs shown in Attachment A. Staff recommends that the tariffs be made effective 30 days after the Commission vote.

³ Order No. PSC-08-0774-TRF-EI, issued November 24, 2008, in Docket No. 20070231-EI, *In re: Petition for approval of 2007 revisions to underground residential and commercial distribution tariff, by Florida Power & Light Company*.

Date: June 24, 2026

Issue 2: Should the Commission approve FPL's proposed UCD tariffs and associated charges?

Recommendation: Yes. The Commission should approve FPL's proposed UCD tariffs and associated charges as shown in Attachment A, effective 30 days after the Commission vote. Staff reviewed FPL's supporting documentation for the UCD charges and believes the charges are cost based and reasonable. (Ward)

Staff Analysis: Utilities are not required to file UCD tariffs pursuant to Rule 25-6.078, F.A.C.; however, as in prior URD petitions, FPL included proposed UCD tariffs in its petition. The UCD tariffs apply to small commercial or industrial customers (applicant) that request the installation of underground electric distribution facilities for a new building. The requested underground distribution facilities consist of underground service conductors, placed in conduit, and associated equipment that is installed from overhead feeder mains (or an overhead termination point) to the designed point of delivery (where the utility's wires are connected to those of the customer). FPL's proposed UCD tariffs are provided on pages 18 through 20 of Attachment A.

The UCD charges represent the differential costs for underground commercial facilities and their equivalent overhead design. The calculations provided by FPL in its petition employ FPL's standard engineering design criteria and are based on actual 2025 labor and material costs. Unlike the URD calculations, the UCD calculations do not include long term operational and avoided storm restoration costs. In addition, the UCD tariffs provide credits that apply if the applicant provides trenching, backfilling, or installs FPL provided conduit or a concrete pad for a pad-mounted transformer.

Staff reviewed FPL's supporting documentation for the UCD charges and believes the charges are cost based and reasonable. Staff recommends that the UCD tariffs and associated charges be approved, effective 30 days after the Commission vote.

Date: June 24, 2026

Issue 3: Should the Commission approve FPL's proposed CIAC tariffs?

Recommendation: Yes. Staff reviewed FPL's proposed modifications to its CIAC tariffs and believes that the modifications provide better clarity and transparency for its customers. The Commission should approve FPL's proposed CIAC tariffs, effective 30 days after the Commission vote. (Ward)

Staff Analysis: Rule 25-6.064, F.A.C., provides the standard calculation for the CIAC to be paid by a customer. Under this formula, a customer's CIAC is intended to cover the non-economic portion of that customer's requested new or upgraded facilities. The non-economic portion of a customer's requested new or upgraded facilities refers to the portion of the project cost not expected to be recovered from the customer's estimated incremental base revenues recovered during the four years following the in-service date. The purpose of CIAC is to protect the general body of ratepayers from subsidizing customer-specific facilities that will not pay for themselves through the requesting customer's own base revenues within that four-year period.

CIAC Tariff Modifications

In its petition, FPL stated that it is seeking Commission approval to modify its CIAC tariff provisions to more clearly state that, in addition to payment of the required CIAC, if facilities are requested or required by a governmental authority that are not usual and customary for the type of installation to be served, the customer shall also be responsible for the payment of the incremental cost of the requested facility in excess of the estimated cost of the utility's standard design. FPL is proposing to incorporate this clarifying language into Tariff Sheet Numbers 6.020, 6.090, 6.100, 6.120, 6.130, 6.140, 6.199, 6.300, 6.330, and 6.500. FPL affirmed in its petition that this clarification will not change or otherwise modify FPL's current CIAC calculation or application, but rather provides greater clarity to all customers seeking new or expanded service and mitigates potential confusion regarding cost responsibility for non-standard designs and facilities. These tariffs are provided on pages 1, 2, 4, 7, 9, 10, 11, 13, 15, and 16 of Attachment A, respectively.

Additionally, FPL is seeking approval of a revision to Tariff Sheet No. 6.020 to clarify that all CIAC shall be calculated pursuant to the rules and regulations of FPL's Commission-approved tariffs. FPL asserts that this proposed modification to Tariff Sheet No. 6.020 will better reflect and remove ambiguity regarding the application of all FPL's Commission-approved tariffs when determining a customer's CIAC.

FPL is also seeking approval of a revision to Tariff Sheet No. 6.199 to provide greater guidance on the overhead to underground differential and credits used to calculate the CIAC for customers requesting underground service. Specifically, FPL is proposing to add language that clarifies to customers that the estimated differential cost and available credits for underground service are to be determined pursuant to the Commission-approved URD and UCD tariffs, and that in no event shall the CIAC for underground service be less than zero. FPL stated that this language is consistent with its current practice and is meant to provide better guidance to customers seeking underground service.

Next, FPL is seeking Commission approval to revise Tariff Sheet Nos. 6.090 and 6.510 to clarify that credits received by an applicant for the underground work the applicant performs shall, upon

Date: June 24, 2026

mutual agreement, be applied either as a reduction to the applicant's CIAC or granted after the applicant's work is completed, but in no event shall the credit exceed the CIAC amount due from the applicant. The utility stated that this clarification better reflects its current practice and preferences. Tariff Sheet No. 6.510 is provided on page 17 of Attachment A.

Finally, FPL is seeking Commission approval to update the deposit amounts required for a binding cost estimate under URD Tariff Sheet No. 6.200 and UCD Tariff Sheet No. 6.310. FPL stated that this update is appropriate to better reflect current costs for preparing a cost estimate for an applicant requesting underground service pursuant to the URD and UCD tariffs and to mitigate the potential risk of subsidization by the general body of ratepayers. Tariff Sheet Nos. 6.200 and 6.310 are provided on pages 12 and 14 of Attachment A, respectively.

In response to staff's data request, response no. 9, FPL affirmed that the purpose of the proposed CIAC tariff revisions is to provide better transparency and clarity to customers or applicants requesting new or extended service. FPL additionally confirmed that the proposed changes are already in effect and in practice.

Conclusion

Staff reviewed FPL's proposed modifications to its CIAC tariff and believes that the modifications provide better clarity and transparency for its customers. Staff recommends approval of the proposed CIAC tariff modifications, effective 30 days after the Commission vote.

Date: June 24, 2026

Issue 4: Should this docket be closed?

Recommendation: If a protest is filed within 21 days of the issuance of the order, the tariffs should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order. (Thompson)

Staff Analysis: If a protest is filed within 21 days of the issuance of the order, the tariffs should remain in effect, with any revenues held subject to refund, pending resolution of the protest. If no timely protest is filed, this docket should be closed upon the issuance of a consummating order.

FLORIDA POWER & LIGHT COMPANY

~~Twelfth-Thirteenth~~ Revised Sheet No. 6.020
 Cancels ~~Eleventh-Twelfth~~ Revised Sheet No. 6.020

(Continued from Sheet No. 6.010)

2.2 Availability of Service. The Company will supply electric service to any applicant for service throughout the area it serves, subject to the following conditions: should an extension of the Company's facilities be required, the Company will pay for the cost where justified, in the Company's opinion, by revenues to be secured; however, the Company may require monthly or annual guarantees, cash contributions in aid of construction, and/or advances for construction, when in the Company's opinion, the immediate or potential revenues do not justify the cost of extension. If facilities are requested or required by a governmental authority that are not usual and customary for the type of installation to be served, the ~~Company may require a contribution in aid of construction based upon~~ Customer shall be responsible for the incremental cost of the requested facility in excess of the estimated cost of the Company's standard design. All contributions in aid of construction will be calculated in accordance with applicable rules and regulations of the Company's tariff-Florida Public Service Commission. If the installation of facilities is justified based on the Customer's estimates for electric power but there is reasonable doubt as to level of use or length of use of such facilities, the Customer, when mutually agreeable with the Company, may contract for a minimum Demand or monthly payment sufficient to justify the Company's investment. Upon request, written information will be supplied by the Company concerning the availability and character of service for any desired location. The Company will not be responsible for mistakes of any kind resulting from information given orally.

2.3 Point of Delivery. The geographical and physical location at which the Company's wires or apparatus are connected to deliver service to the Customer. The point where the Customer assumes responsibility for further delivery and use of the energy. The point of delivery shall be determined by the Company.

2.4 Character of Service. Alternating current is supplied at a frequency of approximately sixty cycles. Standard nominal voltages are 120 or 120/240 volts for single-phase service and 240 volts for 3-phase delta service. Where three-phase "Wye" service is provided, the standard nominal voltages are 120/208 or 277/480 volts. The Company will furnish information regarding Character of Service on request.

2.5 Continuity of Service. The Company will provide service at the agreed nominal voltage, and shall not be liable to the Customer or to any other person for complete or partial failure or interruption of service, fluctuations in voltage, or curtailment of service that may occur as a result of a variety of events and circumstances, including, without limitation: (a) fuels shortages; (b) breakdown or damage to Company's generation, transmission, or distribution facilities; (c) repairs or changes in the Company generation, transmission, or distribution facilities; (d) ordinary negligence of its employees, servants or agents; (e) events of an emergency or as necessary to maintain the safety and integrity of the Company's facilities; or (f) any other act or omission or related injury that is directly or indirectly related to events of Force Majeure. In any such case, the Company will not be liable for damages, including, but not limited to, loss of revenues or production.

2.6 Temporary Service. Temporary service refers to service required for a short period of time. It will be supplied only when the Company has readily available capacity of lines, transformers, generating and other equipment for the service requested. Before supplying temporary service the Company may require the Customer to bear the cost of installing and removing the necessary service facilities, less credit for salvage.

2.7 Indemnity to Company. The Customer shall indemnify, hold harmless and defend the Company from and against any and all liability, proceedings, suits, cost or expense for loss, damage or injury to persons or property, in any manner directly or indirectly connected with, or growing out of the transmission and use of electricity on the Customer's side of the point of delivery.

2.7.1 Indemnity to Company - Governmental. Notwithstanding anything to the contrary in the Company's tariff, including these General Rules and Regulations for Electric Service, the Company's Rate Schedules, and its Standard Forms, any obligation of indemnification therein required of a Customer, Applicant, or QF, that is a governmental entity of the State of Florida or political subdivision thereof ("governmental entity"), shall be read to include the condition "to the extent permitted by applicable law."

2.8 Access to Premises. The duly authorized agents of the Company shall have safe access to the premises of the Customer at all reasonable hours for the purpose of installing, maintaining, and inspecting or removing the Company's property, reading meters, trimming trees within the Company's easements and rights of way, and other purposes incident to performance under or termination of the Company's agreement with the Customer, and in such performance shall not be liable for trespass.

2.9 Right of Way. The Customer shall grant or cause to be granted to the Company and without cost to the Company all rights, easements, permits and privileges which, in the opinion of the Company, are necessary for the rendering of service to the Customer.

3 LIMITATION OF USE

3.1 Resale of Service Prohibited. Electric service received from the Company shall be for the Customer's own use and shall not be resold. Where individual metering is not required under Subsection (5) of Section 25-6.049 (Measuring Customer Service) of the Florida Administrative Code and master metering is used in lieu thereof, reasonable apportionment methods, including sub-metering, may be used by the Customer solely for the purpose of allocating the cost of the electricity billed by the utility. Any fees or charges collected by a Customer for electricity billed to the Customer's account by the utility, whether based on the use of sub-metering or any other allocation method, shall be determined in a manner which reimburses the Customer for no more than the Customer's actual cost of electricity.

For the purpose of this Rule:

- (1) Electric service is "sub-metered" when separate electric meters are used to allocate among tenants, lessees or other entities the monthly bill rendered by FPL to the Customer for electric service, when these tenants, lessees or other entities are charged no more than a proportionate share of such bill, based on their monthly consumption as measured by such meters.
- (2) Electric service is "resold" when separate electric meters are used to charge tenants, lessees or other entities more than a proportionate share of the Customer's monthly bill.
- (3) The term "cost" as used herein means only those charges specifically authorized by FPL's tariff, including but not limited to the customer, energy, demand, fuel, conservation, capacity and environmental charges plus applicable taxes and fees to the customer of record responsible for the master meter payments. The term does not include late payment charges, returned check charges, the cost of the customer-owned distribution system behind the master meter, the customer of record's cost of billing the individual units, and other such costs.

(Continue to Sheet No. 6.030)

Issued by: Tiffany Cohen, VP Financial Planning and Rate Strategy

Effective: **January 1, 2026**

FLORIDA POWER & LIGHT COMPANY

~~Eighteenth~~^{Nineteenth} Revised Sheet No. 6.090
 Cancels ~~Seventeenth~~ ^{Eighteenth} Revised Sheet No. 6.090

SECTION 10.2 GENERAL

10.2.1. Application

Underground electric distribution facilities are offered in lieu of overhead facilities in accordance with these Rules and Regulations for:

- a) New Residential Subdivisions and Developments.
- b) New Service Laterals from Overhead Systems.
- c) Replacement of Existing Overhead and Underground Service Laterals.
- d) New Multiple-Occupancy Residential Buildings.

10.2.2. Early Notification and Coordination

In order for the Company to provide service when required, it is necessary that the Applicant notify the Company during the early stages of planning major projects. Close coordination is necessary throughout the planning and construction stages by the Company, the architect, the builder, the subcontractors and the consulting engineer to avoid delays and additional expense. Particular attention must be given to the scheduling of the construction of paved areas and the various subgrade installations of the several utilities. Failure of the Applicant to provide such notification and coordination shall result in the Applicant paying any additional costs incurred by the Company.

10.2.3. Changes to Plans, Layout or Grade

The Applicant shall pay for any additional costs imposed on the Company by Applicant including, but not limited to, engineering design, administration and relocation expenses, due to changes made subsequent to the agreement in the subdivision or development layout or final grade.

10.2.4. Underground Installations Not Covered

Where the Applicant requests or governmental ordinance mandates underground electric facilities including but not limited to - three phase primary feeder mains, transformers, pedestal mounted terminals, switching equipment, meter cabinets, service laterals or other electric facilities not specifically covered by these Rules and Regulations and where overhead facilities would otherwise be provided, the Applicant shall pay the Company the differential installed cost between the underground facilities and the equivalent overhead facilities as calculated by the Company. The Applicant shall also provide necessary rights of way and easements as given in Section 10.2.7.

10.2.5. Type of System Provided

The costs quoted in these rules are for underground residential distribution service laterals, secondary and primary conductors of standard Company design with cable in conduits and above-grade appurtenances. Unless otherwise stated, service provided will be 120/240 volt, single phase. If other types of facilities other than standard Company design are requested by the Applicant or required by governmental authority, the Company will provide such service if feasible and Applicant will pay the ~~incremental~~^{additional} costs, as calculated by the Company, ~~if any in excess of the estimated cost of the Company's standard design.~~

10.2.6. Design and Ownership

The Company will design, install, own, and maintain the electric distribution facilities up to the designated point of delivery except as otherwise noted. Any payment made by the Applicant under the provisions of these Rules will not convey to the Applicant any rights of ownership or right to specify Company facilities utilized to provide service.

10.2.7. Rights of Way and Easements

The Applicant shall record and furnish satisfactory rights of way and easements, including legal descriptions of such easements and all survey work associated with producing legal descriptions of such easements, as required by and at no cost to the Company prior to the Company initiating construction. Before the Company will start construction, these rights of way and easements must be cleared by the Applicant of trees, tree stumps and other obstructions that conflict with construction, staked to show property corners and survey control points, graded to within six inches of final grade, with soil stabilized. In addition, the Applicant shall provide stakes showing final grade along the easement. Such clearing and grading must be maintained by the Applicant during construction by the utility.

10.2.8. Contributions and Credits

The Applicant shall pay the required contribution upon receipt of written notification from the Company. No utility construction shall commence prior to execution of the Underground Distribution Facilities Installation Agreement set forth in Tariff Sheet Nos. 9.700, 9.701 and 9.702 and payment in full of the entire contribution. Where, by mutual agreement, the Applicant performs any of the work normally performed by the Company, the Applicant shall receive a credit for such work in accordance with the credit amounts contained herein, provided that the work is in accordance with Company specifications. Such credit shall not exceed the total differential costs. Upon mutual agreement, ~~the credit will either be applied as reduction to the Applicant's contribution-in-aid of construction or~~ be granted after the work has been inspected by the Company and, in the case of Applicant-installed conduit, after the applicable conductors have been installed. In no event shall the credit exceed the Applicant's contribution-in-aid of construction.

(Continued on Sheet No. 6.095)

Issued by: S. E. Romig, Director, Rates and Tariffs ~~Tariffs~~^{Tiffany Cohen, VP Financial Planning and Rate Strategy}
 Effective: September 30, 2010

FLORIDA POWER & LIGHT COMPANY

~~Twenty-Ninth-Third~~ Revised Sheet No. 6.095
 Cancels ~~Twenty-Eighth-Twenty-Ninth~~ Revised Sheet No. 6.095

(Continued from Sheet No. 6.090)

10.2.8.1 Credit for TUGs

If the Applicant installs the permanent electric service entrance such that FPL's service lateral can be subsequently installed and utilized to provide that building's construction service, the Applicant shall receive a credit in the amount of ~~\$80.03~~104.35 per service lateral, subject to the following requirements:

- a) TUGs must be inspected and approved by the local inspecting authority.
- b) All service laterals within the subdivision must be installed as TUGs.
- c) FPL must be able to install the service lateral, energize the service lateral, and set the meter to energize the load side of the meter can, all in a single trip. Subsequent visits other than routine maintenance or meter readings will void the credit.
- d) Thereafter, acceptance and receipt of service by the Customer shall constitute certification that the Customer has met all inspection requirements, complied with all applicable codes and rules and, subject to section 2.7 Indemnity to Company, or section 2.71 Indemnity to Company – Governmental, FPL's General Rules and Regulations, the Customer releases, holds harmless and agrees to indemnify the Company from and against loss or liability in connection with the provision of electrical services to or through such Customer-owned electrical installations.
- e) The Applicant shall be held responsible for all electric service used until the account is established in the succeeding occupant's name.

This credit applies only when FPL installs the service - it does not apply when the applicant installs the service conduits, or the service conduits and cable.

10.2.9. Location of Distribution Facilities

Underground distribution facilities will be located, as determined by the Company, to maximize their accessibility for maintenance and operation. The Applicant shall provide accessible locations for meters when the design of a dwelling unit or its appurtenances limits perpetual accessibility for reading, testing, or making necessary repairs and adjustments.

10.2.10. Special Conditions

The costs quoted in these rules are based on conditions which permit employment of rapid construction techniques. The Applicant shall be responsible for necessary additional hand digging expenses other than what is normally provided by the Company. The Applicant is responsible for clearing, compacting, boulder and large rock removal, stump removal, paving, and addressing other special conditions. Should paving, grass, landscaping or sprinkler systems be installed prior to the construction of the underground distribution facilities, the Applicant shall pay the added costs of trenching and backfilling and be responsible for restoration of property damaged to accommodate the installation of underground facilities.

10.2.11. Point of Delivery

The point of delivery shall be determined by the Company. When a location for a point of delivery different from that designated by the Company is requested by the Applicant, and approved by the Company, the Applicant shall pay the additional cost in excess of that which would have been incurred to reach the point of delivery designated by the Company. The estimated full cost of service lateral length, including labor and materials, required in excess of that which would have been needed to reach the Company's designated point of service. The additional cost per trench foot is ~~\$8.05~~10.91. Where an existing trench is utilized, the additional cost per trench foot is ~~\$2.93~~3.68. Where the Applicant provides the trenching, installs Company provided conduit according to Company specifications and backfilling, the cost per additional trench foot is ~~\$2.05~~2.44. Any point of delivery change requested by the Applicant shall conform to good safety and construction practices as determined by the Company. Service laterals shall be installed, where possible, in a direct line to the point of delivery.

(Continued on Sheet No. 6.096)

Issued by: Tiffany Cohen, ~~Executive Director, Rate Development, & Strategy~~ VP Financial Planning and Rate Strategy
 Effective: ~~August 31, 2023~~

FLORIDA POWER & LIGHT COMPANY

~~Thirty-Ninth-Fortieth~~ Revised Sheet No. 6.100
Cancels ~~Thirty-Eighth-Thirty-Ninth~~ Revised Sheet No. 6.100

**SECTION 10.3 UNDERGROUND DISTRIBUTION FACILITIES FOR
RESIDENTIAL SUBDIVISIONS AND DEVELOPMENTS**

10.3.1. Availability

When requested by the Applicant, the Company will provide underground electric distribution facilities, other than for multiple occupancy buildings, in accordance with its standard practices in:

- a) Recognized new residential subdivision of five or more building lots.
- b) Tracts of land upon which five or more separate dwelling units are to be located.

For residential buildings containing five or more dwelling units, see SECTION 10.6 of these Rules.

10.3.2. Contribution by Applicant

- a) The Applicant shall pay the Company the average differential cost for single phase residential underground distribution service based on the number of service laterals required or the number of dwelling units, as follows:

Applicant's
Contribution

1. Where density is 6.0 or more dwelling units per acre:

1.1	Buildings that do not exceed four units, townhouses, and mobile homes – per service lateral.	\$	0.00
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1.2	Mobile homes having Customer-owned services from meter center installed adjacent to the FPL primary trench route - per dwelling unit.	\$	0.00
-----	---	----	------

2. Where density is 0.5 or greater, but less than 6.0 dwelling units per acre:

	Buildings that do not exceed four units, townhouses, and mobile homes – per service lateral	\$	0.00
--	---	----	------

3. Where the density is less than 0.5 dwelling units per acre, or the Distribution System is of non-standard design, individual cost estimates will be used to determine the differential cost as specified in Paragraph 10.2.5.

Additional charges specified in Paragraphs 10.2.5, 10.2.10 and 10.2.11 may also apply.

- b) The above costs are based upon arrangements that will permit serving the local underground distribution system within the subdivision from overhead feeder mains. If feeder mains within the subdivision are deemed necessary by the Company to provide and/or maintain adequate service and are required by the Applicant or a governmental agency to be installed underground, the Applicant shall pay the Company the average differential cost between such underground feeder mains within the subdivision and equivalent overhead feeder mains, as follows:

Applicant's
Contribution

Cost per foot of feeder trench within the subdivision (excluding switches)	\$32,7235.47
Cost per above ground padmounted switch package	\$43,680.6370,816.09

(Continued on Sheet No. 6.110)

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Effective: ~~August 31, 2023~~

FLORIDA POWER & LIGHT COMPANY

~~Thirty-Eighth~~~~Thirty-Ninth~~ Revised Sheet No. 6.110
Cancels ~~Thirty-Seventh~~~~Thirty-Eighth~~ Revised Sheet No. 6.110

(Continued from Sheet No. 6.100)

- c) Where primary laterals are needed to cross open areas such as golf courses, parks, other recreation areas and water retention areas, the Applicant shall pay the average differential costs for these facilities as follows:

Cost per foot of primary lateral trench within the subdivision

1) Single Phase - per foot	\$3.95 <u>\$5.09</u>
2) Two Phase - per foot	\$8.87 <u>\$10.78</u>
3) Three Phase - per foot	\$13.47 <u>\$15.70</u>

- d) For requests for service where underground facilities to the lot line are existing and a differential charge was previously paid for these facilities, the cost to install an underground service lateral to the meter is as follows:

Density less than 6.0 dwelling units per acre:	\$583.70 <u>\$713.63</u>
Density 6.0 or greater dwelling units per acre:	\$434.01 <u>\$531.64</u>

10.3.3. Contribution Adjustments

- a) Credits will be allowed to the Applicant's contribution in Section 10.3.2. where, by mutual agreement, the Applicant provides all trenching and backfilling for the Company's distribution system, excluding feeder.

		Credit to Applicant's Contribution	
		Backbone	Service
1. Where density is 6.0 or more dwelling units per acre:			
1.1 Buildings that do not exceed four units, townhouses, and mobile homes - per service lateral.	\$198.96 <u>\$259.45</u>		\$208.87 <u>\$272.36</u>
1.2 Mobile homes having Customer-owned services from meter center installed adjacent to the FPL primary trench route - per dwelling unit.	\$164.53 <u>\$214.55</u>		N/A
2. Where density is 0.5 or greater, but less than 6.0 dwelling units per acre:			
Buildings that do not exceed four units, townhouses, and mobile homes - per service lateral	\$329.54 <u>\$429.72</u>		\$292.41 <u>\$381.30</u>

- b) Credits will be allowed to the Applicant's contribution in Section 10.3.2. where, by mutual agreement, the Applicant installs all Company-provided conduit excluding feeder per FPL instructions. This credit is:

		Backbone	Service
1. Where density is 6.0 or more dwelling units per acre:			
1.1 Buildings that do not exceed four units, townhouses, and mobile homes - per service lateral.	\$82.79 <u>\$107.96</u>		\$64.02 <u>\$83.48</u>

(Continued on Sheet No. 6.115)

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FLORIDA POWER & LIGHT COMPANY

~~Twenty-Sixth~~ Twenty-Seventh Revised Sheet No. 6.115
Cancels ~~Twenty-Fifth~~ Twenty-Sixth Revised Sheet No. 6.115

(Continued from Sheet No. 6.110)

		Credit to Applicant's Contribution	
		Backbone	Service
1.2	Mobile homes having Customer-owned services from meter center installed adjacent to the FPL primary trench route - per dwelling unit.	\$67.51 <u>\$88.04</u>	N/A
2.	Where density is .5 or greater, but less than 6.0 dwelling units per acre, per service lateral.	\$132.68 <u>\$173.02</u>	\$78.42 <u>\$102.27</u>
c)	Credits will be allowed to the Applicant's contribution in Section 10.3.2. where, by mutual agreement, the Applicant provides a portion of trenching and backfilling for the Company's facilities, per foot of trench – \$4.64 <u>\$6.05</u> .		
d)	Credits will be allowed to the Applicant's contribution in section 10.3.2. where, by mutual agreement, the Applicant installs a portion of Company-provided PVC conduit, per FPL instructions (per foot of conduit): 2" PVC - \$0.80 <u>\$1.04</u> ; larger than 2" PVC - \$1.14 <u>\$1.46</u> .		
e)	Credit will be allowed to the Applicant's contribution in section 10.3.2., where, by mutual agreement, the Applicant installs an FPL-provided feeder splice box, per FPL instructions, per box - \$886.68 <u>\$1,156.22</u> .		
f)	Credit will be allowed to the Applicant's contribution in section 10.3.2., where, by mutual agreement, the Applicant installs an FPL-provided primary splice box, per FPL instructions, per box - \$310.50 <u>\$404.89</u> .		
g)	Credit will be allowed to the Applicant's contribution in section 10.3.2., where, by mutual agreement, the Applicant installs an FPL-provided secondary connection ("handhole"), per FPL instructions, per handhole: small handhole - \$28.81 <u>\$37.57</u> ; intermediate handhole; - \$81.63 <u>\$106.44</u> ; large/all concrete handhole - \$310.50 <u>\$404.89</u> .		
h)	Credit will be allowed to the Applicant's contribution in section 10.3.2., where, by mutual agreement, the Applicant installs an FPL-provided concrete pad for a pad-mounted transformer or capacitor bank, per FPL instructions, per pad - \$80.03 <u>\$104.35</u> .		
i)	Credit will be allowed to the Applicant's contribution in Section 10.3.2., where, by mutual agreement, the Applicant installs a portion of Company-provided flexible HDPE conduit, per FPL instructions (per foot of conduit): \$0.16 <u>\$0.21</u> .		
j)	Credit will be allowed to the Applicant's contribution in Section 10.3.2., where, by mutual agreement, the Applicant installs an FPL-provided concrete pad and cable chamber for a pad-mounted feeder switch, per pad and cable chamber - \$753.84 <u>\$983.00</u> .		

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FLORIDA POWER & LIGHT COMPANY

~~Thirty-Eighth-Thirty-Ninth~~ Revised Sheet No. 6.120
Cancels ~~Thirty-Seventh-Thirty-Eighth~~ Revised Sheet No. 6.120

**SECTION 10.4 UNDERGROUND SERVICE LATERALS FROM
OVERHEAD ELECTRIC DISTRIBUTION SYSTEMS**

10.4.1. New Underground Service Laterals

When requested by the Applicant, the Company will install underground service laterals from overhead systems to newly constructed residential buildings containing less than five separate dwelling units.

10.4.2. Contribution by Applicant

a) The Applicant shall pay the Company the following differential cost between an overhead service and an underground service lateral, as follows:

Applicant's
Contribution

1. For any density:

Buildings that do not exceed four units,
townhouses, and mobile homes

a) per service lateral (includes service riser installation) \$997,841,301.67
b) per service lateral (from existing handhole or PM TX) \$583,797,13.63

2. For any density, the Company will provide a
riser to a handhole at the base of a pole

\$940,711,500.56

Additional charges specified in Paragraphs 10.2.5, 10.2.10 and 10.2.11 may also apply. Underground service or secondary extensions beyond the boundaries of the property being served will be subject to additional differential costs as determined by individual cost estimates.

10.4.3. Contribution Adjustments

a) Credit will be allowed to the Applicant's contribution in Section 10.4.2 where, by mutual agreement, the Applicant provides trenching and backfilling for the Company's facilities. This credit is:

Credit To
Applicant's
Contribution

1. For any density:

Buildings that do not exceed four units,
townhouses, and mobile homes
- per foot

\$4,646.05

(Continued on Sheet No. 6.125)

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Effective: ~~August 31, 2023~~

~~Twenty-Fourth~~Twenty-Fifth Revised Sheet No. 6.125
Cancels ~~Twenty-Third~~Twenty-Fourth Revised Sheet No. 6.125

b) Credit will be allowed to the Applicant's contribution in Section 10.4.2, where, by mutual agreement, the Applicant installs Company-provided conduit, per FPL instructions, as follows:

Larger than 2" PVC ~~\$1.12~~ \$1.46

~~\$80.03~~ 104.35

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FLORIDA POWER & LIGHT COMPANY

~~Thirty-Fifth-Thirty-Sixth~~ Revised Sheet No. 6.130
Cancels ~~Thirty-Fourth-Thirty-Fifth~~ Revised Sheet No. 6.130

**SECTION 10.5 UNDERGROUND SERVICE LATERALS REPLACING
EXISTING RESIDENTIAL OVERHEAD AND UNDERGROUND SERVICES**

10.5.1. Applicability

When requested by the Applicant, the Company will install underground service laterals from existing systems as replacements for existing overhead and underground services to existing residential buildings containing less than five individual dwelling units.

10.5.2. Rearrangement of Service Entrance

The Applicant shall be responsible for any necessary rearranging of his existing electric service entrance facilities to accommodate the proposed underground service lateral in accordance with the Company's specifications.

10.5.3. Trenching and Conduit Installation

The Applicant shall also provide, at no cost to the Company, a suitable trench, perform the backfilling and any landscape, pavement or other similar repairs and install Company provided conduit according to Company specifications. When requested by the Applicant and approved by the Company, the Company may supply the trench and conduit and the Applicant shall pay for this work based on a specific cost estimate. Should paving, grass, landscaping or sprinkler systems need repair or replacement during construction, the Applicant shall be responsible for restoring the paving, grass, landscaping or sprinkler systems to the original condition.

10.5.4. Contribution by Applicant

- a) The charge per service lateral replacing an existing Company-owned overhead service for any density shall be:

Applicant's
Contribution

- | | |
|--|---|
| 1. Where the Company provides an underground service lateral: | \$908.75 <u>\$1,136.76</u> |
| 2. Where the Company provides a riser to a handhole at the base of the pole: | \$1,194.45 <u>\$1,782.69</u> |

- b) The charge per service lateral replacing an existing Company-owned underground service at Applicant's request for any density shall be:

- | | |
|---|---|
| 1. Where the service is from an overhead system: | \$1,032.44 <u>\$1,351.97</u> |
| 2. Where the service is from an underground system: | \$904.80 <u>\$1,158.97</u> |

- c) The charge per service lateral replacing an existing Customer-owned underground service from an overhead system for any density shall be:

~~\$655.01~~ \$854.63

- d) The charge per service lateral replacing an existing Customer-owned underground service from an underground system for any density shall be:

~~\$240.87~~ \$266.58

The above charges include conversion of the service lateral from the last FPL pole to the meter location. Removal of any other facilities such as poles, down guys, spans of secondary, etc. will be charged based on specific cost estimates for the requested additional work. Additional charges specified in Paragraphs 10.2.5, 10.2.10 and 10.2.11 may also apply.

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FLORIDA POWER & LIGHT COMPANY

~~Ninth~~^{Tenth} Revised Sheet No. 6.140
 Cancels ~~Eighth~~^{Ninth} Revised Sheet No. 6.140

**SECTION 10.6 UNDERGROUND SERVICE DISTRIBUTION FACILITIES TO
 MULTIPLE-OCCUPANCY RESIDENTIAL BUILDINGS**

- 10.6.1. Availability
 Underground electric distribution facilities may be installed within the tract of land upon which multiple-occupancy residential buildings will be constructed.
- 10.6.2. Contribution by Applicant
 When feeder mains on tracts of land upon which multiple-occupancy buildings will be constructed are deemed necessary by the Company to provide and/or maintain adequate service, an underground installation is requested by the Applicant, or required by a governmental agency having the authority so to do, the Applicant shall contribute the differential costs provided in Section 10.3.2.b) and 10.3.3.c). There will be no contribution from the Applicant with respect to construction of underground distribution facilities other than feeder mains so long as the Company is free to construct such extensions in the most economical manner, and reasonably full use is made of the tract of land upon which the multiple-occupancy residential buildings will be constructed. Other conditions will require special arrangements. Additional charges specified in Paragraphs 10.2.5, 10.2.10 and 10.2.11 may also apply.
- 10.6.3. Responsibility of Applicant
 The Applicant shall, at no cost to the Company:
- a) Furnish details and specifications of the proposed building or complex of buildings. The Company will use these in the design of the electric distribution facilities required to render service.
 - b) Where the Company determines that transformers are to be located inside the building, the Applicant shall provide in accordance with Company specifications:
 - 1) The vault or vaults necessary for the transformers and associated equipment.
 - 2) The necessary raceways or conduit for the Company's supply cables from the vault or vaults to a suitable point five feet outside the building in accordance with the Company's plans and specifications.
 - 3) Conduits underneath all buildings when required for the Company's supply cables. Such conduits shall extend a minimum of five feet beyond the edge of the buildings for joining to the Company's facilities.
 - 4) The service entrance conductors and raceways from the Applicant's service equipment to the designated point of delivery within the vault.
 - c) Where the Company determines that transformers are to be located outside the building, the Applicant shall provide in accordance with Company specifications:
 - 1) The space for padmounted equipment at or near the building, and protective devices for such equipment, if required.
 - 2) The service entrance conductors and raceway from the Applicant's service equipment to the point of delivery designated by the Company at or near the building.
 - 3) Conduits underneath all buildings when required for the Company's supply cables. Such conduits shall extend five feet beyond the edge of the buildings for joining to the Company's facilities.
 - d) Provide proper easements, including the right of ingress and egress for the installation, operation and maintenance of the Company's facilities.
 - e) Ensure that the metering enclosures are appropriately marked with the same alphabetic or numeric designation used to identify the service address. Such markings shall be of a permanent nature.
- 10.6.4. Responsibility of the Company
 The Company will:
- a) Provide the Applicant with the Company's plans to supply the proposed building or complex of buildings, and specifications for the facilities to be provided by the Applicant.

(Continued on Sheet No. 6.150)

Issued by: ~~S. E. Romig, Director, Rates and Tariffs~~ Tiffany Cohen, VP of Financial Planning and Rate Strategy
 Effective: ~~March 7, 2003~~

FLORIDA POWER & LIGHT COMPANY

~~First-Second~~ Revised Sheet No. 6.199
Cancels ~~Original First Revised~~ Sheet No. 6.199

11.0 INSTALLATION OF NEW OR UPGRADED FACILITIES

SECTION 11.1 GENERAL

In accordance with F.A.C. Rule 25-6.064 this tariff section applies to requests for new or upgraded facilities. Nothing herein shall alter the charges or provisions outlined in sections 10 and 13 of this tariff.

An Applicant can be any person, corporation, or entity capable of complying with the requirements of this tariff that has made a request for new or upgraded facilities in accordance with this tariff.

11.1.1 CONTRIBUTION-IN-AID OF CONSTRUCTION (CIAC)

A CIAC shall be required from Applicants requesting new or upgraded facilities prior to construction of the requested facilities based on the formulas presented below.

(a) The CIAC for new or upgraded overhead facilities ($CIAC_{OH}$) shall be calculated as follows:

$$CIAC_{OH} = \begin{array}{l} \text{Total estimated work} \\ \text{order job cost of} \\ \text{installing the facilities} \end{array} - \begin{array}{l} \text{Four years expected} \\ \text{incremental base} \\ \text{energy revenue} \end{array} - \begin{array}{l} \text{Four years expected} \\ \text{incremental base} \\ \text{demand revenue, if} \\ \text{applicable} \end{array}$$

(i) The cost of the service drop and meter shall be excluded from the total estimated work order job cost for new overhead facilities.

(ii) The net book value and cost of removal, net of the salvage value, for existing facilities shall be included in the total estimated work order job cost for upgrades to those existing facilities.

(iii) The expected annual base energy and demand charge revenues shall be estimated for a period ending not more than 5 years after the new or upgraded facilities are placed in service.

(iv) In no instance shall the $CIAC_{OH}$ be less than zero.

(b) The CIAC for new or upgraded underground facilities ($CIAC_{UG}$) shall be calculated as follows:

$$CIAC_{UG} = CIAC_{OH} + \begin{array}{l} \text{Estimated difference between the cost of providing} \\ \text{the service underground and overhead} \end{array}$$

(i) The estimated cost differential between underground and overhead service shall be determined pursuant to sections 10 and 13 of this tariff.

(ii) Credit for work performed by the Applicant shall be determined and applied pursuant to sections 10 and 13 of this tariff; provided, however, that in no event shall the $CIAC_{UG}$ amount be less than zero.

(c) For non-governmental Applicants that require new or upgraded facilities with a total estimated cost of \$50 million or more at the point of delivery, the Applicant shall be required to advance the total estimated work order job cost of installing the facilities required to provide service prior to construction of the requested facilities. The total estimated work order job cost shall be subject to refund less the required CIAC amount calculated in section 11.1.1(a) or 11.1.1(b). Upon the in-service date, the Applicant shall receive a monthly refund consisting of the applicable base energy charges and base demand charges actually incurred by the Applicant during that same monthly billing period. Such refund amount will be applied as a bill credit to the Applicant's monthly bill for a period not to exceed five (5) years from the in-service date or until the total estimated work order job cost of installing the facilities less the required CIAC has been refunded, whichever occurs first. The total amount to be refunded through bill credits shall not exceed the total estimated work order job cost of installing the facilities less the required CIAC, nor will the refund period exceed a period of five (5) years from the in-service date. Any unrefunded balance remaining five (5) years from the in-service date will become a non-refundable. If this section 11.1.1(c) is applicable, the Applicant shall not be subject to a Performance Guaranty Agreement.

(e)(d) In addition to payment of the CIAC, if facilities are requested or required by a governmental authority that are not usual and customary for the type of installation to be served, the Applicant shall also be responsible for the payment of the incremental cost of the requested facility in excess of the estimated cost of the Company's standard design.

11.1.2 CIAC True-Up

An Applicant may request a one-time review of a paid CIAC amount within 12 months following the in-service date of the new or upgraded facilities. Upon receiving a request, which must be in writing, the Company shall true-up the CIAC to reflect the actual construction costs and a revised estimate of base revenues. The revised estimate of base revenues shall be developed from the actual base revenues received at the time the request is made. If the true-up calculation result is different from the paid CIAC amount, the Company will either issue a refund or an invoice for this difference. This CIAC review is available only to an initial Applicant who paid the original full CIAC amount, not to any other Applicants who may be required to pay a pro-rata share as described in section 11.1.3.

(Continued on Sheet No. 6.200)

Issued by: Tiffany Cohen, VP Financial Planning and Rate Strategy

Effective: ~~January 1, 2026~~

FLORIDA POWER & LIGHT COMPANY

~~Fourth~~^{Fifth} Revised Sheet No. 6.200
Cancels ~~Third~~^{Fourth} Revised Sheet No. 6.200

(Continued from Sheet No. 6.199)

11.1.3 Proration of CIAC

CIAC is pro-ratable if more Applicants than the Initial Applicant are expected to be served by the new or upgraded facilities ("New Facilities") within the three-year period following the in-service date. The Company shall collect the full CIAC amount from the Initial Applicant. Thereafter, the Company shall collect, and pay to the Initial Applicant, a pro-rata share of the CIAC from each additional Applicant to be served from these New Facilities until the three-year period has expired, or until the number of Applicants served by the New Facilities equals the number originally expected to be served during the three-year period, whichever comes first. Any CIAC or pro-rata share amount due from an Applicant shall be paid prior to construction. For purposes of this tariff, the New Facilities' in-service date is defined as the date on which the New Facilities are installed and service is available to the Initial Applicant, as determined by the Company.

**SECTION 11.2 INSTALLATION OF UNDERGROUND ELECTRIC DISTRIBUTION FACILITIES
FOR NEW CONSTRUCTION**

11.2.0 Distribution System

Electric service facilities consisting of primary and secondary conductors, service drops, service laterals, conduits, transformers and necessary accessories and appurtenances for the furnishing of electric power at utilization voltage.

11.2.1 Application

This tariff section applies to all requests for underground electric distribution facilities where the facilities requested will constitute new construction, other than those requests covered by sections 10, 12 and 13 of this tariff. Any Applicant may submit a request as follows. Requests shall be in writing and must specify in detail the proposed facilities that the Applicant desires to be installed as underground electric distribution facilities in lieu of overhead electric distribution facilities. Upon receipt of a written request FPL will determine the non-refundable deposit amount necessary to secure a binding cost estimate and notify the applicant of said amount. Where system integrity would be compromised by the delay of a system improvement due to the time allowances specified below, said time allowances shall be reduced such that all terms and conditions of this tariff must be met 30 days prior to the date that construction must begin to allow the underground facility to be completed and operable to avert a system compromise.

11.2.2 Contribution-in-Aid-Of-Construction (CIAC)

Upon the payment of a non-refundable deposit by an Applicant, FPL shall prepare a binding cost estimate specifying the contribution-in-aid-of-construction (CIAC) required for the installation of the requested underground distribution facilities in addition to any CIAC required for facilities extension, where the installation of such facilities is feasible, and provide said estimate to the Applicant upon completion of the estimate along with an Underground Distribution Facilities Installation Agreement. The CIAC may be subject to increase or refund if the project scope is enlarged or reduced at the request of the Applicant, or the CIAC is found to have a material error prior to the commencement of construction. The binding cost estimate provided to an Applicant shall be considered expired if the Applicant does not enter into an Underground Distribution Facilities Installation Agreement and pay the CIAC amount specified for the installation of the requested underground electric distribution facilities within 180 days of delivery of the binding cost estimate to the Applicant by FPL.

11.2.3 Non-Refundable Deposits

The non-refundable deposit for a binding cost estimate for a direct buried cable in conduit underground electric distribution system shall be determined by multiplying the number of proposed trench feet for new underground electric distribution facilities to be installed by ~~\$0.75~~^{\$2.80}. The deposit must be paid to FPL to initiate the estimating process. The deposit will not be refundable, however, it will be applied in the calculation of the CIAC required for the installation of underground distribution facilities. The deposit and the preparation of a binding cost estimate are a prerequisite to the execution of an Underground Distribution Facilities Installation Agreement. If the request for underground electric distribution facilities involves less than 250 proposed trench feet then no deposit will be required for a binding cost estimate, provided, however, that all other requirements of this tariff shall still apply.

(Continued on Sheet No. 6.210)

Issued by: ~~S. E. Romig, Director, Rates and Tariffs~~ Tiffany Cohen, VP Financial Planning and Rate Strategy
Effective: ~~June 13, 2007~~

FLORIDA POWER & LIGHT COMPANY

~~Eighth~~^{Ninth} Revised Sheet No. 6.300
Cancels ~~Seventh~~ ~~Eighth~~ Revised Sheet No. 6.300

**INSTALLATION OF UNDERGROUND ELECTRIC DISTRIBUTION FACILITIES
FOR THE CONVERSION OF OVERHEAD ELECTRIC DISTRIBUTION FACILITIES**

SECTION 12.1 DEFINITIONS

APPLICANT - Any person, corporation, or entity capable of complying with the requirements of this tariff that has made a written request for underground electric distribution facilities in accordance with this tariff.

CONVERSION - Any installation of underground electric distribution facilities where the underground facilities will be substituted for existing overhead electric distribution facilities, including relocations.

CONTRIBUTION-IN-AID-OF-CONSTRUCTION (CIAC) - The CIAC to be paid by an Applicant under this tariff section shall be the result of the following formula:

- CIAC =
- + 1) The estimated cost to install the requested underground facilities;
 - + 2) The estimated cost to remove the existing overhead facilities;^a
 - + 3) The net book value of the existing overhead facilities;^a
 - 4) The estimated cost that would be incurred to install new overhead facilities, in lieu of underground, to replace the existing overhead facilities (the "Hypothetical Overhead Facilities");
 - 5) The estimated salvage value of the existing overhead facilities to be removed;^a
 - + 6) The 30-year net present value of the estimated non-storm underground v. overhead operational costs differential,
 - 7) The 30-year net present value of the estimated average Avoided Storm Restoration Costs ("ASRC")^b.

^a In calculating the Applicant's CIAC, elements 2, 3, and 5 of the CIAC formula above are to be excluded from CIAC due from an applicant who submits an application providing a binding notification that said applicant intends to convert existing non-hardened overhead distribution facilities to underground distribution facilities.

^b Lines 6 & 7 will be combined to calculate a per mile credit.

In addition to payment of the CIAC, if facilities are requested or required by a governmental authority that are not usual and customary for the type of installation to be served, the Applicant shall also be responsible for payment of the incremental cost of the requested facility in excess of the estimated cost of the Company's standard design.

DISTRIBUTION SYSTEM - Electric service facilities consisting of primary and secondary conductors, service drops, service laterals, conduits, transformers and necessary accessories and appurtenances for the furnishing of electric power at utilization voltage.

SERVICE FACILITIES - The entire length of conductors between the distribution source, including any conduit and or risers at a pole or other structure or from transformers, from which only one point of service will result, and the first point of connection to the service entrance conductors at a weather head, in a terminal, or meter box outside the building wall; the terminal or meter box; and the meter.

(Continued on Sheet No. 6.301)

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FLORIDA POWER & LIGHT COMPANY

~~Fourth~~^{Fifth} Revised Sheet No. 6.310
Cancels ~~Third~~^{Fourth} Revised Sheet No. 6.310

(Continued from Sheet No. 6.301)

12.2.3 Non-Refundable Deposits

The non-refundable deposit for a binding cost estimate for conversion to a direct buried cable in conduit underground electric distribution system shall be determined by multiplying the number of pole line feet of existing overhead electric distribution facilities to be converted by ~~\$1,293.26~~. The deposit must be paid to FPL to initiate the estimating process. The deposit will not be refundable, however, it will be applied in the calculation of the CIAC required for the installation of underground distribution facilities. The deposit and the preparation of a binding cost estimate are a prerequisite to the execution of an Underground Facilities Conversion Agreement. If the request for underground electric distribution facilities involves the conversion of less than 250 pole line feet of existing overhead facilities, then no deposit will be required for a binding cost estimate, provided, however, that all other requirements of this tariff shall still apply.

12.2.4 Non-Binding Cost Estimates

Any person, corporation, or entity may request a non-binding cost estimate free of charge. The non-binding cost estimate shall be an order of magnitude estimate to assist the requestor in determining whether to go forward with a binding cost estimate. An Underground Facilities Conversion Agreement may not be executed on the basis of a non-binding cost estimate.

12.2.5 Underground Facilities Conversion Agreement

Any Applicant seeking the installation of underground distribution facilities pursuant to a written request hereunder shall execute the Underground Facilities Conversion Agreement set forth in this tariff at Sheet No. 9.720. The applicable Agreement must be executed and the CIAC paid by the Applicant within 180 days of the delivery of the binding cost estimate to the Applicant. Failure to execute the applicable Agreement and pay the CIAC specified in the Agreement within the 180 day time limit, or termination of the Agreement, shall result in the expiration of the binding cost estimate. Any subsequent request for underground facilities will require the payment of a new deposit and the presentation of a new binding cost estimate. For good cause FPL may extend the 180 day time limit. Upon execution of the Underground Facilities Conversion Agreement, payment in full of the CIAC specified in the binding cost estimate, and compliance with the requirements of this tariff, FPL shall proceed to convert the facilities identified in a timely manner. However, new service extensions, maintenance and reliability projects, and service restorations shall take precedence over facilities conversions.

12.2.6 Simultaneous Conversion of Other Pole Licensees

Before the initiation of any project to provide underground electric distribution facilities pursuant to an Underground Facilities Conversion Agreement the Applicant shall have executed agreements with all affected pole licensees (e.g. telephone, cable TV, etc.) for the simultaneous conversion of those pole licensees' facilities and provide FPL with an executed copy of the Agreement(s). Such agreements shall specifically acknowledge that the affected pole licensees will coordinate their conversion with FPL and other licensees in a timely manner so as to not create unnecessary delays. Failure to present FPL with executed copies of any necessary agreements with affected pole licensees within 180 days after delivery of the binding cost estimate to the Applicant shall result in the expiration of the binding cost estimate, the return of any CIAC paid, and the termination of any Underground Facilities Conversion Agreement entered into between the Applicant and FPL.

12.2.7 Easements

Before the initiation of any project to provide underground electric distribution facilities pursuant to an Underground Facilities Conversion Agreement the Applicant shall provide FPL, at no cost to FPL, all easements, including legal descriptions of such easements and all survey work associated with producing legal descriptions of such easements, specified as necessary by FPL to accommodate the requested underground facilities along with an opinion of title that the easements are valid. Failure to provide the easements in the manner set forth above within 180 days after the delivery of the binding cost estimate to the Applicant shall result in the expiration of the binding cost estimate, the return of any CIAC paid, and the termination of any Underground Facilities Conversion Agreement entered into between the Applicant and FPL.

(Continued on Sheet No. 6.320)

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FLORIDA POWER & LIGHT COMPANY

~~Third~~**Fourth** Revised Sheet No. 6.330
Cancels ~~Second~~**Third** Revised Sheet No. 6.330

(Continued from Sheet No. 6.320)

12.2.10 Type of System Provided

An underground distribution system will be provided in accordance with FPL's current design and construction standards. If facilities are requested or required by a governmental authority that are not consistent with FPL's current design and construction standards, the Applicant shall also be responsible for the incremental cost of the requested facility in excess of the estimated cost of the Company's standard design.

12.2.11 Design and Ownership

FPL will design, install, own, and maintain the electric distribution facilities up to the designated point of delivery except as otherwise noted. The Applicant may, subject to a contractual agreement with FPL, construct and install all or a portion of the underground distribution facilities provided that:

- a) such work meets FPL's construction standards;
- b) FPL will own and maintain the completed distribution facilities;
- c) the construction and installation of underground distribution facilities by the Applicant is not expected to cause the general body of ratepayers to incur greater costs;
- d) the Applicant agrees to pay FPL's current applicable hourly rate for engineering personnel for all time spent for (i) reviewing and inspecting the Applicant's work done, and (ii) developing any separate cost estimate(s) that are either requested by the Applicant to reflect only FPL's portion of the work or are required by FPL to reflect both the Applicant's and FPL's portions of the work pursuant to an Underground Facilities Conversion Agreement; and
- e) the Applicant agrees to rectify any deficiencies found by FPL prior to the connection of any Customers to the underground electric distribution system and the removal of the overhead electric distribution facilities.

12.2.12 Relocation

Where underground electric facilities are requested as part of, or for the purpose of, relocation, the requirements of this tariff shall apply. As applicable, the Underground Facilities Conversion Agreement shall be executed as an addendum to the relocation agreement between FPL and the Applicant. In the event of any conflict between the relocation agreement and this tariff, the tariff shall control. Furthermore, where the regulations of the Federal or State Department of Transportation (DOT) prevent pre-payment of deposits and other conversion costs, the Federal or State DOT may pay the CIAC after the work has been performed.

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FLORIDA POWER & LIGHT COMPANY

~~Second~~^{Third} Revised Sheet No. 6.500
Cancels ~~First~~^{Second} Revised Sheet No. 6.500**SECTION 13.2 UNDERGROUND DISTRIBUTION FACILITIES TO
SMALL GENERAL SERVICE/INDUSTRIAL CUSTOMERS****13.2.1 Application**

This tariff section applies to all requests for Underground Service Facilities made by small general service/industrial Applicants for new service as is specified below:

- a) Must be a new general service/industrial installation served by transformer sizes of 100 KVA or less for single or two phase and 300 KVA or less for three phase; and
- b) Must be installed on the Applicant's property beginning at a point along the Applicant's property line and terminating at the Company's designated point of delivery.

The application of this tariff is in addition to and supplements the Company's other rules regarding extensions of facilities for service. An additional contribution-in-aid-of-construction may be required by those rules for extensions or installations of facilities necessary to accommodate a request for Underground Service Facilities made under this section.

13.2.2 Early Notification and Coordination

In order for the Company to provide service when required, it is necessary that the Applicant notify the Company during the early stages of planning projects. Close coordination is necessary throughout the planning and construction stages by the Company, the architect, the builder, the subcontractors and the consulting engineer to avoid delays and additional expense. Particular attention must be given to the scheduling of the construction of paved areas and the various subgrade installations of the several utilities. Failure of the Applicant to provide such notification and coordination shall result in the Applicant paying any additional costs incurred by the Company as a result of said failure.

13.2.3 Changes to Plans, Layout or Grade

The Applicant shall pay for any additional costs imposed on the Company by Applicant due to changes made in the development layout or final grade subsequent to an agreement. These costs include, but are not limited to, engineering design, administration and relocation expenses.

13.2.4 Type of System Provided

The costs quoted in these rules are for underground distribution primary/secondary conductors in direct buried conduit with above-grade appurtenances of standard Company design, excluding throwover service. Throwover service availability and its cost are determined by the Company on an individual basis. Unless otherwise stated, service will be provided at single or two-phase 120/240 volts or, where available, three phase 120/208 volts or 277/480 volts. If facilities are requested or required by a governmental authority that are not consistent with FPL's standard design, the Applicant shall also be responsible for the incremental cost of the requested facility in excess of the estimated cost of the Company's standard design.

13.2.5 Design and Ownership

The Company will design, install, own and maintain the electric distribution facilities up to the designated point of delivery except as otherwise noted. Any payment made by the Applicant under the provisions of these Rules will not convey to the Applicant any rights of ownership or right to specify Company facilities utilized to provide service.

(Continued on Sheet No. 6.510)

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Cancels ~~Third~~^{Fourth} Revised Sheet No. 6.510

(Continued from Sheet No. 6.500)

13.2.6 Rights of Way and Easements

The Applicant shall record and furnish satisfactory rights of way and easements, including legal descriptions of such easements and all survey work associated with producing legal descriptions of such easements, as required by and at no cost to the Company prior to the Company initiating construction. Before the Company will start construction, these rights of way and easements must be cleared by the Applicant of trees, tree stumps and other obstructions that conflict with construction, staked to show property corners and survey control points, and graded to within six inches of final grade, with soil stabilized. In addition, the Applicant shall provide stakes showing final grade along the easement. Such clearing and grading must be maintained by the Applicant during construction by the utility.

13.2.7 Contribution and Credits

The Applicant shall pay the required contribution upon receipt of written notification from the Company. No utility construction shall commence prior to execution of the Underground Distribution Facilities Installation Agreement set forth in Tariff Sheet Nos. 9.700, 9.701 and 9.702 and payment in full of the entire contribution. Where, by mutual agreement, the Applicant performs any of the work normally performed by the Company, the Applicant shall receive a credit for such work in accordance with the credit amounts contained herein, provided that the work is in accordance with Company specifications. Such credits shall not exceed the total differential costs. Upon mutual agreement, the credit will either be applied as a reduction to the Applicant's contribution-in-aid of construction or be granted after the work has been inspected by the Company and, in the case of Applicant-installed conduit, after the Company pulls all applicable conductors. In no event shall the credit exceed the Applicant's contribution-in-aid of construction.

13.2.8 Location of Distribution Facilities

Underground distribution facilities will be located, as determined by the Company, to maximize their accessibility for maintenance and operation. The Applicant shall provide accessible locations for meters and transformers when the design of a general service/industrial building or its appurtenances limit perpetual accessibility for reading, testing, or making necessary repairs and adjustments.

13.2.9 Special Conditions

The costs quoted in these rules are based on conditions which permit employment of rapid construction techniques. The Applicant shall be responsible for necessary additional hand digging expenses other than what is normally provided by the Company. The Applicant is responsible for clearing, compacting, stump removal, paving, and addressing other special conditions. Should paving, grass, landscaping or sprinkler systems be installed prior to the construction of the underground distribution facilities, the Applicant shall pay the added costs of trenching and backfilling and be responsible for restoration of property damaged to accommodate the installation of underground facilities.

13.2.10 Point of Delivery

The point of delivery shall be determined by the Company, but normally will be at or near the part of the building nearest the point at which the Company's electric supply is available to the property. When a location for a point of delivery different from that designated by the Company is requested by the Applicant and approved by the Company, the Applicant shall pay the estimated full cost of the primary/secondary lateral length, including labor and materials, required in excess of that which would have been needed to reach the Company's designated point of delivery. Any redesignation requested by the Applicant shall conform to good safety and construction practices as determined by the Company. Laterals shall be installed, where possible, in a direct line to the point of delivery.

13.2.11 Location of Meter and Raceway

The Applicant shall install a meter trough at the point designated by the Company and a raceway to accept the service lateral conductors if needed. Both will be installed in accordance with the Company's specifications.

(Continued on Sheet No. 6.520)

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FLORIDA POWER & LIGHT COMPANY

~~Thirteenth~~~~Fourteenth~~ Revised Sheet No. 6.520
Cancels ~~Twelfth~~~~Thirteenth~~ Revised Sheet No. 6.520

(Continued from Sheet No. 6.510)

13.2.12 Contribution by Applicant

The Applicant shall pay the Company the average differential cost between installing overhead and underground distribution facilities based on the following:

- a) Primary lateral, riser (if from overhead termination point), pad mounted transformer and trench with cable-in-conduit not to exceed 150 feet in radials and 300 feet in loops.

From Existing	Applicant's Contribution	
	From Overhead Termination Point	Underground Termination
1) Single phase radial	\$0.00	\$0.00
2) Two phase radial	\$0.00	\$0.00
3) Three phase radial (150 KVA)	\$0.00	\$0.00
4) Three phase radial (300 KVA)	\$0.00	\$0.00
5) Single phase loop	\$0.00	\$0.00
6) Two phase loop	\$0.00	\$0.00
7) Three phase loop (150 KVA)	\$0.00	\$0.00
8) Three phase loop (300 KVA)	\$0.00	\$0.00

- b) Secondary riser and lateral, excluding handhole or junction box, with connection to Applicant's service cables no greater than 20 feet from Company riser pole.

1) Small single phase	\$699.54 <u>\$1,119.90</u>
2) Large single phase	\$1,712.34 <u>\$2,606.91</u>
3) Small three phase	\$1,018.46 <u>\$1,565.12</u>
4) Large three phase	\$2,425.76 <u>\$3,698.05</u>

- c) FPL service cable installed in customer provided and customer installed 2" PVC (for main line switch size limited to 60 amps for 120V, 2 wire service, or 125 amps for 120/240v, 3 wire service) where customer's meter can is at least 5 feet and no more than 100 feet from the FPL pole.

	120v 60 amp 2 wire service	120/240v 125 3 wire service
1) Installed on a wood pole - accessible locations	\$537.84 <u>\$750.37</u>	\$481.67 <u>\$735.48</u>
2) Installed on a wood pole - inaccessible locations	\$617.62 <u>\$859.56</u>	\$548.84 <u>\$829.29</u>
3) Installed on a concrete pole - accessible locations	\$605.35 <u>\$848.50</u>	\$549.22 <u>\$833.61</u>

- d) Handholes and Padmounted Secondary Junction Box, excluding connections.

1) Handhole

a. Small - per handhole	\$333.27 <u>\$520.40</u>
b. Intermediate - per handhole	\$428.96 <u>\$637.35</u>
c. Large - per handhole	\$1,338.15 <u>\$1,961.28</u>

2) Pad Mounted secondary Junction Box – per box	\$2,978.16 <u>\$5,885.79</u>
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- 3) Pad Mounted secondary Junction Cabinet, used when electrical loads exceed the capacity of the secondary junction box (above) or when the number of the service conductors exceed the capacity of the pad mounted transformer. This charge is only applicable if the majority of the customer's service conductor diameter is less than 500 MCM.

Per cabinet (includes connecting up to 12 sets of conductor)	\$13,219.40 <u>\$20,367.41</u>
Tapping service conductors (if more than 12 sets) – per set	\$91.76 <u>\$129.68</u>

(Continued on Sheet No. 6.530)

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FLORIDA POWER & LIGHT COMPANY

~~Thirteenth~~~~Fourteenth~~ Revised Sheet No. 6.530
Cancels ~~Twelfth~~~~Thirteenth~~ Revised Sheet No. 6.530

(Continued from Sheet No. 6.520)

- e) Primary splice box including splices and cable pulling set-up.
- | | |
|---------------------------|---|
| 1) Single Phase - per box | \$1,963.54 <u>\$2,833.22</u> |
| 2) Two Phase - per box | \$2,562.44 <u>\$3,667.78</u> |
| 3) Three Phase - per box | \$2,790.96 <u>\$3,983.48</u> |
- f) Additional installation charge for underground primary laterals including trench and cable-in-conduit which exceed the limits set in 13.2.12 a).
- | | |
|----------------------------|----------------------------------|
| 1) Single Phase - per foot | \$3.95 <u>\$5.09</u> |
| 2) Two Phase - per foot | \$8.87 <u>\$10.78</u> |
| 3) Three Phase - per foot | \$7.90 <u>\$10.63</u> |
- g) Additional installation charge for underground primary laterals including trench and cable-in-conduit extended beyond the Company designated point of delivery to a remote point of delivery.
- | | |
|----------------------------|-----------------------------------|
| 1) Single Phase - per foot | \$42.67 <u>\$16.18</u> |
| 2) Two Phase - per foot | \$20.26 <u>\$5.17</u> |
| 3) Three Phase - per foot | \$22.48 <u>\$8.79</u> |
- h) The above costs are based upon arrangements that will permit serving the local underground distribution system within the general service/industrial development from overhead feeder mains. If feeder mains within the general service/industrial development are deemed necessary by the company to provide and/or maintain adequate service and are required by the Applicant or a governmental agency to be installed underground, the Applicant shall pay the company the average differential cost between such underground feeder mains within the general service/industrial development and equivalent overhead feeder mains, as follows:
- | | |
|---|---|
| | Applicant's
Contribution |
| Cost per foot of feeder trench within the general service/industrial development (excluding switches) | \$32.72 <u>\$35.47</u> |
| Cost per above ground padmounted switch package | \$43,680.63 <u>\$70,816.09</u> |
- i) The Company will provide one standby/assistance appointment at no additional charge to the Applicant adding new or additional load to assist with installation of the Applicant's conductors and conduit(s) into a padmounted transformer, pedestal or vault (not to exceed four hours in duration) during normal hours of operation. Additional appointments will be provided upon request, at the Applicant's expense.

(Continued on Sheet 6.540)

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~~Ninth-Tenth~~ Revised Sheet No. 6.540
Cancels ~~Eighth-Ninth~~ Revised Sheet No. 6.540

(Continued from Sheet No. 6.530)

13.2.13 Contribution Adjustments

- a) Credits will be allowed to the Applicant's contribution in Section 13.2.12. where, by mutual agreement, the Applicant provides trenching and backfilling for the Company's facilities.

Credit to the
Applicant's
Contribution

- | | |
|--|-----------------------|
| 1) Credit per foot of primary trench | \$4,646.05 |
| 2) Credit per foot of secondary trench | \$3,684.80 |

- b) Credits will be allowed to the Applicant's contribution in section 13.2.12. where, by mutual agreement, the Applicant installs Company-provided conduit per Company instructions.

- | | |
|--|-----------------------|
| 1) Credit per foot of 2" conduit | \$0.801.04 |
| 2) Credit per foot of larger than 2" conduit | \$1,121.46 |

- c) Credit will be allowed to the Applicant's contribution in Section 13.2.12. where, by mutual agreement, the Applicant installs a Company-provided handhole per Company instructions,

- | | |
|---|---------------------------|
| 1) Credit per large handhole/primary splice box | \$210.50404.89 |
| 2) Credit per small handhole | \$81.63106.44 |

- d) Credit will be allowed to the Applicant's contribution in Section 13.2.12. where, by mutual agreement, the Applicant installs a Company-provided concrete pad for a pad-mounted transformer or pad-mounted capacitor bank per Company instructions,

Credit per pad	\$80.03104.35
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- e) Credit will be allowed to the Applicant's contribution in Section 13.2.12. where, by mutual agreement, the Applicant installs Company-provided concrete pad for a pad-mounted feeder switch chamber per Company instructions,

Credit per pad	\$753.84983.00
----------------	---------------------------

- f) Credit will be allowed to the Applicant's contribution in Section 13.2.12. where, by mutual agreement, the Applicant installs Company-provided concrete pad for a feeder splice box per Company instructions,

Credit per splice box	\$886.681,156.22
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