

STATE OF FLORIDA

ART GRAHAM  
CHAIRMAN



Capital Circle Office Center  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850  
(850) 413-6040

# Public Service Commission

September 21, 2018

**DELIVERED VIA E-MAIL**

Kenneth J. Plante  
Coordinator  
Joint Administrative Procedures Committee  
680 Pepper Building  
111 W. Madison Street  
Tallahassee, FL 32399-1400

**Re: Florida Public Service Commission's 2018 Regulatory Plan**

Dear Mr. Plante:

The Florida Public Service Commission (Commission) hereby files its 2018 Regulatory Plan pursuant to Section 120.74, Florida Statutes (F.S.).

Section 120.74(1)(a), F.S., requires a listing of each law enacted or amended during the previous 12 months which creates or modifies the duties or authority of the agency, a statement whether rule adoption is required to implement the law, and if so, whether a notice of rule development has been published; and an identification of the date by which the agency expects to publish the notice of proposed rule. The Commission's report of laws pursuant to Section 120.74(1)(a), F.S., is attached hereto as Attachment A.

Section 120.74(1)(b), F.S., states that the regulatory plan must also include a listing of each law not listed pursuant to Section 120.74(1)(a), F.S., which the agency expects to implement by rulemaking before the following July 1, including a statement whether rulemaking is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce costs, or delete obsolete, unnecessary, or redundant rules. The Commission's report of laws pursuant to Section 120.74(1)(b), F.S., is attached hereto as Attachment B.

Section 120.74(1)(c), F.S., requires an identification and listing of laws which were previously identified in a prior year's regulatory plan as requiring rulemaking to implement, but for which a notice of proposed rule has not been published. The Commission has no laws or updates to report pursuant to Section 120.74 (1)(c), F.S. The Commission's report that it has no laws or updates to the 2017 Regulatory Plan is attached hereto as Attachment C.

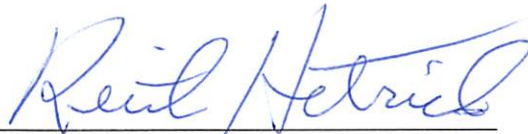
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Section 120.74 (1)(d), F.S., requires the Commission to submit a certification regarding the regulatory plan. Pursuant to Section 120.74(1)(d), F.S., we hereby verify that we have reviewed the attached regulatory plan and that the Commission regularly reviews all of its rules. The Commission's rules were most recently reviewed for the period July 2, 2015, through July 1, 2017, to determine if the rules remain consistent with the Commission's rulemaking authority and the laws implemented.



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ART GRAHAM  
Chairman  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770



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KEITH HETRICK  
General Counsel  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770

Enclosures

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FLORIDA PUBLIC SERVICE COMMISSION  
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ATTACHMENT A

LAWS CREATING OR MODIFYING DUTIES OR AUTHORITY- SECTION 120.74(1)(a), F.S.

Laws	Rulemaking Necessary	Notice of Rule Development Published	Expected Date of Notice of Proposed Rule	Reason Why Rulemaking Is Not Necessary
Section 364.386, F.S., Reports to Legislature	No	N/A	N/A	Statutory change merely clarifies the date a report is due to the Legislature.
Section 366.92, F.S., Florida Renewable Energy Policy	No	N/A	N/A	Statutory change merely deletes an obsolete date (year only) for annual reporting by MUNIs and COOPs.
Section 403.511, F.S., Effect of Certification	No	N/A	N/A	Statute is specific as to the Commission's jurisdiction.
Section 403.531, F.S., Effect of Certification	No	N/A	N/A	Statute is specific as to the Commission's jurisdiction.

## LAWS NOT CREATING OR MODIFYING DUTIES OR AUTHORITY- SECTION 120.74(1)(b), F.S.

Laws	Intent of Rulemaking
Section 288.035, F.S.	To consider whether Rule 25-6.0426, F.A.C., Recovery of Economic Development Expenses, should be amended to increase the cap on recoverable economic development expenses.
Section 350.115, F.S.	To repeal Rule 25-4.520, F.A.C., Reporting Requirements, as obsolete and no longer necessary because Rule 25-22.108, F.A.C., Change of Regulated Utility Contact Information, will be created.  To consider whether Rule 25-6.0142, F.A.C., Uniform Retirement Units for Electric Utilities, "The List of Retirement Units (Electric Plant) as of January 1, 2000," is sufficiently up to date and whether it needs to be accessible through the F.A.C. website as it is for retirement units for gas utilities in Rule 25-7.0461(2)(i), F.A.C.
Section 350.117, F.S.	To repeal Rule 25-4.520, F.A.C., Reporting Requirements, as obsolete and no longer necessary because Rule 25-22.108, F.A.C., Change of Regulated Utility Contact Information, will be created.
Section 364.016, F.S.	To repeal Rule 25-4.0051, F.A.C., Current Certificate Holder Information, as it is no longer necessary because a new rule will apply to all regulated utilities.
Section 364.10, F.S.	To amend Rule 25-4.0665, F.A.C., Lifeline Service, to conform to federal standards.
Section 364.105, F.S.	To amend Rule 25-4.0665, F.A.C., Lifeline Service, to conform to federal standards.
Section 364.183, F.S.	To repeal Rule 25-4.0051, F.A.C., Current Certificate Holder Information, as it is no longer necessary because a new rule will apply to all regulated utilities.  To amend Rule 25-4.0665, F.A.C., Lifeline Service, to conform to federal standards.
Section. 364.336, F.S.	To repeal Rule 25-4.0051, F.A.C., Current Certificate Holder Information, as no longer necessary because a new rule will apply to all regulated utilities.

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ATTACHMENT B

LAWS NOT CREATING OR MODIFYING DUTIES OR AUTHORITY- SECTION 120.74(1)(b), F.S.

Laws	Intent of Rulemaking
Section. 364.3375, F.S.	<p>To repeal Rule 25-4.0051, F.A.C., Current Certificate Holder Information, as no longer necessary because a new rule will apply to all regulated utilities.</p> <p>To repeal Rule 25-4.520, F.A.C., Reporting Requirements, as obsolete and no longer necessary because Rule 25-22.108, F.A.C., Change of Regulated Utility Contact Information, will be created.</p>
Section 366.03, F.S.	<p>To amend Rule 25-6.020, F.A.C., Record of Applications of Service, Rule 25-6.033, F.A.C., Tariffs, and Rule 25-6.038, F.A.C., Change in Character of Service, to update the rules.</p> <p>To amend Rule 25-6.037, F.A.C., Extent of System Which Utility Shall Operate and Maintain, to update the rule and clarify standards.</p>
Section 366.04, F.S.	<p>To amend Rule 25-17.015, F.A.C., Energy Conservation Cost Recovery, to streamline utility filing requirements.</p> <p>To amend Rule 25-6.0141, F.A.C., Allowance for Funds Used During Construction, to remove outdated language.</p> <p>To amend Rule 25-6.036, F.A.C., Inspection of Plant, Rule 25-6.0440, F.A.C., Territorial Agreements for Electric Utilities, and Rule 25-6.0441, F.A.C., Territorial Disputes for Electric Utilities, to clarify rule standards.</p> <p>To amend Rule 25-6.037, F.A.C., Extent of System Which Utility Shall Operate and Maintain, to update the rule and clarify standards.</p>
Section 366.041, F.S.	<p>To consider whether Rule 25-6.0142, F.A.C., Uniform Retirement Units for Electric Utilities, "The List of Retirement Units(Electric Plant) as of January 1, 2000," is sufficiently up to date and whether it needs to be accessible through the F.A.C. website as it is for retirement units for gas utilities in Rule 25-7.0461(2)(i), F.A.C.</p>
Section 366.05 F.S.	<p>To create Rule 25-22.108, F.A.C., Change of Regulated Utility Contact Information, to specify that all regulated utilities are required to update the utility's contact information with the Commission.</p> <p>To amend Rule 25-6.020, F.A.C., Record of Applications of Service, Rule 25-6.021, F.A.C., Records of</p>

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LAWS NOT CREATING OR MODIFYING DUTIES OR AUTHORITY- SECTION 120.74(1)(b), F.S.

Laws	Intent of Rulemaking
Section 366.05 F.S., con't.	<p>Complaints, Rule 25-6.039, F.A.C., Safety, and Rule 25-6.040, F.A.C., Grounding of Primary and Secondary Distribution System Circuits, to update the rules.</p> <p>To amend Rule 25-6.036, F.A.C., Inspection of Plant, Rule 25-6.0440, F.A.C., Territorial Agreements for Electric Utilities, and Rule 25-6.0441, F.A.C., Territorial Disputes for Electric Utilities, to clarify rule standards.</p> <p>To amend Rule 25-6.037, F.A.C., Extent of System Which Utility Shall Operate and Maintain, to update the rule and clarify standards.</p>
Section 366.055, F.S.	To amend Rule 25-6.036, F.A.C., Inspection of Plant, to clarify rule standards.
Section 366.06, F.S.	<p>To consider whether Rule 25-6.0142, F.A.C., Uniform Retirement Units for Electric Utilities, "The List of Retirement Units(Electric Plant) as of January 1, 2000," is sufficiently up to date and whether it needs to be accessible through the F.A.C. website as it is for retirement units for gas utilities in Rule 25-7.0461(2)(i), F.A.C.</p> <p>To amend Rule 25-17.015, F.A.C., Energy Conservation Cost Recovery, to streamline utility filing requirements.</p> <p>To amend Rule 25-6.0141, F.A.C., Allowance for Funds Used During Construction, to remove outdated language.</p> <p>To amend Rule 25-6.033, F.A.C., Tariffs, to update the rule.</p>
Section 366.08, F.S.	To amend Rule 25-6.036, F.A.C., Inspection of Plant, to clarify rule standards.
Section 366.093, F.S.	To amend Rule 25-6.0151, F.A.C., Audit Access to Records, to update forms incorporated by reference.
Section 366.82, F.S.	To amend Rule 25-17.015, F.A.C., Energy Conservation Cost Recovery, to streamline utility filing requirements.
Section 367.071, F.S.	To amend Rule 25-30.0371, F.A.C., Acquisition Adjustments, to update rule to address current industry practices.
Section 367.081, F.S.	To create new Rule 25-30.xxx, F.A.C., Water Transmission Distribution and Wastewater Collection Used and

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LAWS NOT CREATING OR MODIFYING DUTIES OR AUTHORITY- SECTION 120.74(1)(b), F.S.

Laws	Intent of Rulemaking
Section 367.081, F.S., con't.	<p>Useful Considerations, to codify Commission policy on water and wastewater collection used and useful considerations.</p> <p>To amend Rule 25-30.0371, F.A.C., Acquisition Adjustments, to update rule to address current industry practices.</p> <p>To amend Rule 25-30.420, F.A.C., Establishment of Price Index, to reflect the revision of the form for water utilities to obtain a price index adjustment.</p>
Section 367.0812, F.S.	<p>To create a new rule, Rule 25-30.xxx, F.A.C., Water Quality Testing In Water Distribution System, to implement water quality testing procedures.</p>
Section 367.0814, F.S.	<p>To create a new rule, Rule 25-30.4575, F.A.C., Operating Ratio Methodology, to codify the Commission's practice of applying an alternative form of calculating revenue requirement for small water and wastewater utilities.</p>
Section 367.091, F.S.	<p>To amend Rule 25-30.335, F.A.C., Customer Billing, to provide clarity and increased efficiency for implementing certain miscellaneous service charges, as proposed in the revision of Rule 25-30.460, F.A.C., Application for Miscellaneous Service Charges.</p>
Section 367.121, F.S.	<p>To amend Rule 25-30.0371, F.A.C., Acquisition Adjustments, to update rule to address current industry practices.</p> <p>To review Rule 25-30.110, F.A.C., Records and Reports; Annual Reports, to determine whether amendment is needed to update the rule that was last amended in 1999.</p> <p>To amend Rule 25-30.335, F.A.C., Customer Billing, to provide clarity and increased efficiency for implementing certain miscellaneous service charges, as proposed in the revision of Rule 25-30.460, F.A.C., Application for Miscellaneous Service Charges.</p> <p>To amend Rule 25-30.420, F.A.C., Establishment of Price Index, to reflect the revision of the form for water utilities to obtain a price index adjustment.</p>

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LAWS NOT CREATING OR MODIFYING DUTIES OR AUTHORITY- SECTION 120.74(1)(b), F.S.

Laws	Intent of Rulemaking
Section 367.156, F.S.	<p>To create Rule 25-22.108, F.A.C., Change of Regulated Utility Contact Information, to specify that all regulated utilities are required to update the utility's contact information with the Commission.</p> <p>To review Rule 25-30.110, F.A.C., Records and Reports; Annual Reports, to determine whether amendment is needed to update the rule that was last amended in 1999.</p>
Section 367.161, F.S.	To review Rule 25-30.110, F.A.C., Records and Reports; Annual Reports, to determine whether amendment is needed to update the rule that was last amended in 1999.
Section 368.03, F.S.	To amend Rule 25-12.005, F.A.C., Codes and Standards Adopted, so that it is updated to refer to the current version of the federal gas safety rules.
Section 368.05, F.S.	To amend Rule 25-12.005, F.A.C., Codes and Standards Adopted, so that it is updated to refer to the current version of the federal gas safety rules.
Section 427.704, F.S.	To repeal Rule 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company, to make it consistent with the Regulatory Reform Act of 2011 as applied to Chapter 364, Florida Statutes.



UPDATES TO 2017 REGULATORY PLAN – SECTION 120.74(1)(c), F.S..

The Commission has no laws or updates to the 2017 Regulatory Plan to report pursuant to Section 120.74(1)(c), F.S.