

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT A
2022 REGULATORY PLAN

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 110.117, F.S., revised to clarify that observance of paid holidays falling on Saturday or Sunday applies to all holidays listed in paragraphs (1)(a)-(i). (S0848; Ch. 2022-4, Laws of Florida)	No	N/A	N/A	Applies to all agencies. The statute is specific as to all requirements and is self-executing.
Section 112.219, F.S., created to allow agencies to substitute related work experience in lieu of postsecondary education. (S0514; Ch. 2022-184, Laws of Florida)	No	N/A	N/A	Applies to all agencies. The statute is specific as to all requirements and is self-executing.
Section 112.24(6), F.S., relating to the assignment of a state employee pursuant to intergovernmental interchange under specified recommendations and approval for the 2020-2021 fiscal year only, expired pursuant to its own terms, eff. July 1, 2021. (S0850; Ch. 2022-5, Laws of Florida)	No	N/A	N/A	Applies to all agencies. The Commission has no rules concerning this exemption and therefore its expiration requires no rulemaking.
Section 112.3121, F.S., providing definitions for the purpose of implementing the constitutional prohibition against lobbying by a public officer. (H7001; Ch. 2022-140, Laws of Florida)	No	N/A	N/A	Applies to all agencies. The statute is specific as to all requirements and is self-executing.
Section 112.3122, F.S., concerning the enforcement and penalties for constitutional prohibition against lobbying by a public officer. (H7001; Ch. 2022-140, Laws of Florida)	No	N/A	N/A	Applies to all agencies. The statute is specific as to all requirements and is self-executing.

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Laws	Rulemaking Necessary	Notice of Rule Development Published	Expected Date of Notice of Proposed Rule	Reason Why Rulemaking Is Not Necessary
Section 119.071(2)(n), F.S., revising an exemption from public records requirements for personal identifying information of the alleged victim in an allegation of sexual harassment or victim of sexual harassment and extending date for future legislative review. (S7024; Ch. 2022-172, Laws of Florida)	No	N/A	N/A	Applies to all agencies. The statute is specific as to all requirements and is self-executing.
Section 216.292(2)(a)5., F.S., relating to the transfer of appropriations funded from identical funding sources under specified conditions for the 2020-2021 fiscal year, expired pursuant to its own terms, eff. July 1, 2021. (S850; Ch. 2022-5, Laws of Florida)	No	N/A	N/A	Applies to all agencies. The Commission has no rules concerning this exemption and therefore its expiration requires no rulemaking.
Section 364.10, F.S., amended to clarify requirements regarding the pending termination of a subscriber's Lifeline service, to clarify the subscriber's duty to present proof of continued eligibility, and to remove obsolete provisions. (S7036; Ch. 2022-80, Laws of Florida)	Yes. To implement the amendments to Section 364.10, F.S.	Pursuant to Section 120.74(4), F.S., Notice of Rule Development will be published by November 1, 2022.	Pursuant to Section 120.74(5), F.S., Notice of Proposed Rule will be published by April 1, 2023.	N/A

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<p>Section 364.107, F.S., amended to authorize the release of certain confidential and exempt Lifeline participant information held by the Commission to the Federal Communications Commission or its designee. (S7036; Ch. 2022-80, Laws of Florida)</p>	<p>No</p>	<p>N/A</p>	<p>N/A</p>	<p>The statute is specific as to all requirements and is self-executing. Therefore, rulemaking is not necessary to implement the amendment to the statute.</p>
<p>Section 366.04(9)(b), F.S., deleted provisions that have expired, become obsolete, had their effect, served their purpose, or been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and unnecessary repetition in the statutes; and improving the clarity of the statutes and facilitating their correct interpretation. (S848; Ch. 2022-4, Laws of Florida)</p>	<p>No</p>	<p>N/A</p>	<p>N/A</p>	<p>Reviser's bill amended the statute to confirm editorial changes to move portions of statute; to redesignate portions of statute; and to provide clarity. Therefore, rulemaking is not necessary to implement the amendment.</p>
<p>Section 366.06(4), F.S., amended to increase the maximum annual sales which natural gas or public electric utilities may have to request that the Commission use certain procedures for the utility's petition for rate relief; and to make a technical change. (S350; Ch. 2022-74, Laws of Florida)</p>	<p>No</p>	<p>N/A</p>	<p>N/A</p>	<p>The statute is specific as to all requirements and is self-executing. Therefore, rulemaking is not necessary to implement the amendment to the statute.</p>

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<p>Section 377.814, F.S., created the Municipal Solid Waste-to-Energy Program within the Department of Agriculture and Consumer Services; directed the Public Service Commission to provide assistance in verifying grant eligibility; and requires the Department of Agriculture and Consumer Services to adopt rules. (CS S1764; Ch. 2022-199, Laws of Florida)</p>	<p>No</p>	<p>N/A</p>	<p>N/A</p>	<p>The Public Service Commission was neither required nor granted authority to adopt rules regarding this statute.</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 350.115, F.S.	To amend Rule 25-6.0142, F.A.C., Uniform Retirement Units for Electric Utilities, to update the Code of Federal Regulations reference in subsection (1) and to include a link to the F.A.C. website for the List of Retirement Units that is incorporated by reference in subsection (3)
Section 350.121, F.S.	To amend paragraph (4)(a) of Rule 25-22.006, F.A.C., Confidential Information, to change the number of copies required to be filed to be consistent with current filing requirements.
Section 364.10, F.S.	To amend Rule 25-4.0665, F.A.C., Lifeline Assistance, to incorporate changes in federal Lifeline program and changes to Florida law
Section 364.105, F.S.	To amend Rule 25-4.0665, F.A.C., Lifeline Assistance, to incorporate changes in federal Lifeline program and changes to Florida law
Section 364.183, F.S.	To amend Rule 25-4.0665, F.A.C., Lifeline Assistance, to incorporate changes in federal Lifeline program and changes to Florida law To amend paragraph (4)(a) of Rule 25-22.006, F.A.C., Confidential Information, to change the number of copies required to be filed to be consistent with current filing requirements
Section 364.33, F.S.	To amend Rule 25-4.511, F.A.C., Application for Original or Transfer of Pay Telephone Certificate, to remove unnecessary language
Section 364.335, F.S.	To amend Rule 25-4.511, F.A.C., Application for Original or Transfer of Pay Telephone Certificate, to remove unnecessary language
Section 364.3375, F.S.	To amend Rule 25-4.511, F.A.C., Application for Original or Transfer of Pay Telephone Certificate, to remove unnecessary language
Section 366.03, F.S.	To amend Rule 25-6.109, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal
Section 366.04, F.S.	To amend Rule 25-6.0183, F.A.C., Electric Utility Procedures for Generating Capacity Shortage Emergencies, to adopt the updated FRCC (Florida Reliability Coordinating Council) Generating Capacity Shortage Plan) as the Commission's plan to address capacity shortage emergencies To amend Rule 25-6.0435, F.A.C., Interim Rate Relief, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal

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Laws	Intent of Rulemaking
Section 366.04 (Cont.)	<p>To amend Rule 25-6.109, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p> <p>To amend Rule 25-14.012, F.A.C., Accounting for Postretirement Benefits Other Than Pensions, to remove references to obsolete accounting standards</p>
Section 366.041, F.S.	To amend Rule 25-6.0142, F.A.C., Uniform Retirement Units for Electric Utilities, to update the Code of Federal Regulations reference in subsection (1) and to include a link to the F.A.C. website for the List of Retirement Units that is incorporated by reference in subsection (3)
Section 366.05, F.S.	<p>To adopt Rule 25-6.04355, F.A.C., Effective Date of Approved Rates and Charges for Investor-Owned Electric Utilities, to address when a utility's approved rates and charges are effective and when the utility may begin applying approved rates and charges to a customer's bill for service rendered</p> <p>To adopt Rule 25-7.0405, F.A.C., Effective Date of Approved Rates and Charges for Investor-Owned Natural Gas Utilities., to address when a utility's approved rates and charges are effective and when the utility may begin applying approved rates and charges to a customer's bill for service rendered</p> <p>To repeal Rule 25-14.004, F.A.C., Effect of Parent Debt on Federal Corporate Income Tax, as obsolete</p> <p>To amend Rule 25-14.013, F.A.C., Accounting for Deferred Income Taxes Under SFAS 109, to remove references to obsolete accounting standards and replace references to obsolete standards with specific requirements</p> <p>To amend Rule 25-14.014, F.A.C., Accounting for Asset Retirement Obligations Under SFAS 143, to remove references to obsolete accounting standards</p>
Section 366.06, F.S.	<p>To amend Rule 25-6.0142, F.A.C., Uniform Retirement Units for Electric Utilities, to update the Code of Federal Regulations reference in subsection (1) and to include a link to the F.A.C. website for the List of Retirement Units that is incorporated by reference in subsection (3)</p> <p>To amend Rule 25-6.0435, F.A.C., Interim Rate Relief, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p>

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Laws	Intent of Rulemaking
Section 366.06, F.S. (Cont.)	<p>To adopt Rule 25-6.04355, F.A.C., Effective Date of Approved Rates and Charges for Investor-Owned Electric Utilities, to address when a utility’s approved rates and charges are effective and when the utility may begin applying approved rates and charges to a customer’s bill for service rendered</p> <p>To amend Rule 25-6.109, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p> <p>To amend Rule 25-7.040, F.A.C., Interim Rate Relief, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p> <p>To adopt Rule 25-7.0405, F.A.C., Effective Date of Approved Rates and Charges for Investor-Owned Natural Gas Utilities, to address when a utility’s approved rates and charges are effective and when the utility may begin applying approved rates and charges to a customer’s bill for service rendered</p> <p>To amend Rule 25-7.091, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p>
Section 366.07, F.S.	<p>To amend Rule 25-6.109, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p>
Section 366.071, F.S.	<p>To amend Rule 25-6.0435, F.A.C., Interim Rate Relief, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p> <p>To amend Rule 25-6.109, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p> <p>To amend Rule 25-7.040, F.A.C., Interim Rate Relief, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p> <p>To amend Rule 25-7.091, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p>

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Laws	Intent of Rulemaking
Section 366.093, F.S.	To amend paragraph (4)(a) of Rule 25-22.006, F.A.C., Confidential Information, to change the number of copies required to be filed to be consistent with current filing requirements
Section 366.82, F.S.	To amend Rule 25-17.0021, F.A.C., Goals for Electric Utilities, to update rule requirements
Section 367.071, F.S.	To amend Rule 25-30.0371, F.A.C., Acquisition Adjustments, to update the rule to address current industry practices
Section 367.081, F.S.	<p>To amend Rule 25-30.0371, F.A.C., Acquisition Adjustments, to update the rule to address current industry practice</p> <p>To amend Rule 25-30.255, F.A.C., Measurement of Service for Water Utilities, to update rule requirements</p> <p>To amend Rule 25-30.360, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p> <p>To repeal Rule 25-30.415, F.A.C., Return on Common Equity, as unnecessary</p> <p>To amend Rule 25-30.420, F.A.C., Establishment of Price Index, Adjustment of Rates; Requirement of Bond; Filing After Adjustment; Notice to Customers, to specify that the Commission will send and receive the price index documents to and from the water and wastewater utilities and to add a customer notice to the Commission form that is contained in the rule</p> <p>To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to update rule requirements</p> <p>To amend Rule 25-30.434, Application for Allowance for Funds Prudently Invested (AFPI) Charges, to update rule requirements and AFPI Filing Schedules</p>
Section 367.0812, F.S.	To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to update rule requirements

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Laws	Intent of Rulemaking
Section 367.0814, F.S.	<p>To amend Rule 25-30.360, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal</p> <p>To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to update rule requirements</p> <p>To amend Rule 25-30.455, F.A.C., Staff Assistance in Rate Cases, to update the threshold amount for staff assisted rate proceedings pursuant to Section 367.0814(1), F.S.</p> <p>To amend Rule 25-30.456, F.A.C., Staff Assistance in Alternative Rate Setting, to update the threshold amount for staff assisted alternative rate setting proceedings pursuant to Section 367.0814(1), F.S.</p> <p>To amend Rule 25-30.457, F.A.C., Limited Alternative Rate Increase, to update the threshold amount for limited alternative rate increase proceedings pursuant to Section 367.0814(1), F.S.</p>
Section 367.082, F.S.	To amend Rule 25-30.360, F.A.C., Refunds, to recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal
Section 367.0822, F.S.	To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to update rule requirements
Section 367.111, F.S.	To amend Rule 25-30.255, F.A.C., Measurement of Service for Water Utilities, to update rule requirements
Section 367.121, F.S.	<p>To repeal Rule 25-14.004, F.A.C., Effect of Parent Debt on Federal Corporate Income Tax, as obsolete</p> <p>To amend Rule 25-14.012, F.A.C., Accounting for Postretirement Benefits Other Than Pensions, to remove references to obsolete accounting standards</p> <p>To amend Rule 25-14.013, F.A.C., Accounting for Deferred Income Taxes Under SFAS 109, to remove references to obsolete accounting standards and replace references to obsolete standards with specific requirements</p> <p>To amend Rule 25-14.014, F.A.C., Accounting for Asset Retirement Obligations Under SFAS 143, to remove references to obsolete accounting standards</p>

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<p>Section 367.121, F.S. (Cont.)</p>	<p>To repeal Rule 25-30.010, F.A.C., Rules for General Application, as unnecessary</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 25-30.110, F.A.C., Records and Reports; Annual Reports, to specify that the Commission will provide and receive copies of the annual report forms via email, unless a physical copy is requested by the utility</p> <p>To amend Rule 25-30.117, F.A.C., Accounting for Pension Costs, to remove references to obsolete accounting standards and replace references to obsolete standards with specific requirements</p> <p>To amend Rule 25-30.420, F.A.C., Establishment of Price Index, Adjustment of Rates; Requirement of Bond; Filing After Adjustment; Notice to Customers, to specify that the Commission will send and receive the price index documents to and from the water and wastewater utilities and to add a customer notice to the Commission form that is contained in the rule</p>
<p>Section 367.1213, F.S.</p>	<p>To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to update rule requirements</p>
<p>Section 367.156, F.S.</p>	<p>To amend paragraph (4)(a) of Rule 25-22.006, F.A.C., Confidential Information, to change the number of copies required to be filed to be consistent with current filing requirements</p> <p>To amend Rule 25-30.110, F.A.C., Records and Reports; Annual Reports, to specify that the Commission will provide and receive copies of the annual report forms via email, unless a physical copy is requested by the utility</p>
<p>Section 367.161, F.S.</p>	<p>To amend Rule 25-30.110, F.A.C., Records and Reports; Annual Reports, to specify that the Commission will provide and receive copies of the annual report forms via email, unless a physical copy is requested by the utility</p>
<p>Section 368.03, F.S.</p>	<p>To amend Rule 25-12.005, F.A.C., Codes and Standards Adopted, to reflect current 49 CFR parts 191, 192, and 199</p>
<p>Section 368.05, F.S.</p>	<p>To amend Rule 25-12.005, F.A.C., Codes and Standards Adopted, to reflect current 49 CFR parts 191, 192, and 199</p>
<p>Section 368.108, F.S.</p>	<p>To amend paragraph (4)(a) of Rule 25-22.006, F.A.C., Confidential Information, to change the number of copies required to be filed to be consistent with current filing requirements</p>

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT C
2022 REGULATORY PLAN

UPDATES TO 2021 REGULATORY PLAN – SECTION 120.74(1)(c), F.S.

The Commission has no laws or updates to the 2021 Regulatory Plan to report pursuant to Section 120.74(1)(c), F.S.