

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for Waiver of) DOCKET NO. 930938-EI
Rule 25-6.015(3)(a), Florida) ORDER NO. PSC-93-1518-FCF-EI
Administrative Code, Regarding) ISSUED: October 15, 1993
Retention of Source Documents in)
Their original Form for a)
Minimum of Three Years by)
Florida Power and Light Company.)
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
LUIS J. LAUREDO

NOTICE OF PROPOSED AGENCY ACTION

ORDER GRANTING IN PART AND DENYING IN PART A REQUEST
FOR WAIVER OF RULE 25-6.015(3)(A), FLORIDA ADMINISTRATIVE CODE

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are adversely affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On July 22, 1993, Florida Power and Light Company (FPL) requested a waiver of Rule 25-6.015(3)(a), Florida Administrative Code, our rule requiring the retention of source documents in their original form for a minimum of three years. FPL believes that its current storage and retrieval systems meet the standards required by the rule, because those systems produce copies equivalent to originals.

Our audit staff visited FPL to review its storage and retrieval systems. They identified three methods FPL uses to store information; microfilm, microfiche, and imaging. The General Office in Miami is the only location that processes both microfilm and microfiche. Only microfilm is used at the Juno Beach Office Facility, the Nuclear Division (all three locations) and Scherer Unit No. 4. The remaining locations (North Palm Beach Office Facility and St. Johns River Power Park) are currently processing

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records using imaging. All microfilm and microfiche documents contain a Certificate of Authenticity and a Declaration of Intent and Purpose at the start and a Certificate of Authenticity at the end. The process produces clear and readable copies substantially equivalent to the originals.

FPL expects to expand the use of imaging to the Miami General Office, in addition to the two locations where it is currently used. When imaging is used, the scanned information is converted to digital information and is stored in optical disk plotters. There are advantages to the imaging process, because information is imported and exported electronically. The process will also link mainframes and enhance work flow by setting up various activities simultaneously.

The drawback to the imaging process is that the information is not easily transportable, because the equipment is very vendor specific and sometimes may not even be transportable within the same vendor. While information can be transported rapidly through the use of the network, access to the source documentation through the network may not be available unless an appropriate protocol or conversion process is in place. FPL does not have such a process in place at all its offices, and FPL indicated to our staff that it plans to request a separate waiver of the rule for those documents copied using the imaging process.

With regard to those documents copied using the microfilm and microfiche process, we grant the request for a waiver of Rule 25-6.015(3)(a), Florida Administrative Code. FPL must notify the Commission's Division of Auditing and Financial Analysis if it changes the method used to copy its source documents.

We deny the request for a waiver of the rule with regard to those documents copied using the imaging process. We are not yet satisfied that there will be dependable, continued access to copies made using this process, and until this concern is addressed, FPL should maintain the original source documents for three years, as Rule 25-6.015 requires. It is therefore,

ORDERED that Florida Power and Light Company's request for a waiver of Rule 25-6.015(3)(a), Florida Administrative Code is granted for those documents copied using the microfilm and microfiche process. It is further

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ORDERED that Florida Power and Light Company's request for a waiver of Rule 25-6.015(3)(a), Florida Administrative Code is denied for those documents copied using the imaging process. It is further

ORDERED that this Order shall become final and this docket closed unless an appropriate petition for formal proceeding is received by the Division of Records and Reporting, 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on the date indicated in the Notice of Further Proceedings or Judicial Review.

By ORDER of the Florida Public Service Commission this 15th day of October, 1993.

STEVE TRIBBLE, Director
Division of Records and Reporting

(S E A L)

MCB:bmi

by: Kay Helton
Chief, Bureau of Records

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

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The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form

provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting at his office at 101 East Gaines Street, Tallahassee, Florida 32399-0870, by the close of business on November 5, 1993.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party adversely affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.