

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date 2/18/98

98 FEB 13 AM 11:14
Docket No. 980215-GU
FLORIDA
PUBLIC SERVICE COMM.
DIV. OF ADMINISTRATION
OUT IF CHECKED _____

- 1. Division Name/Staff Name APPEALS/CHRISTIANA T. MOORE *CTM*
- 2. OPR CHRISTIANA T. MOORE (APP)
- 3. OCR EVELYN SEWELL (ADM) *ES* John Slemkewicz (AFAD) *JS*
- 4. Suggested Docket Title PROPOSED AMENDMENT OF RULE 25-7.0131, F.A.C. - INVESTOR-OWNED GAS UTILITY REGULATORY ASSESSMENT FEES

- 5. Suggested Docket Mailing List (attach separate sheet if necessary)
 - A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
 - B. Provide COMPLETE name and address for all others. (Match representatives to clients.)
 - 1. Parties and their representatives (if any)

- 2. Interested Persons and their representatives (if any)

6. Check one:

Documentation is attached. (RULE)

Documentation will be provided with the recommendation.

1 25-7.0131 Regulatory Assessment Fees; Gas Utilities, Gas
2 Municipals, and Gas Districts.

3 (1) As applicable and as provided in s. 350.113, F.S. and
4 s. 366.14, F.S., each gas utility, municipal, or gas district
5 shall remit a fee based upon its gross operating revenue. This
6 fee shall be referred to as a regulatory assessment fee.
7 Regardless of the gross operating revenue of a company, a minimum
8 annual regulatory assessment fee of \$25 shall be imposed.

9 (a) Each investor-owned gas utility shall pay a regulatory
10 assessment fee in the amount of .005 ~~0-00375~~ of its gross
11 operating revenue derived from intrastate business, excluding
12 sales for resale between public utilities, municipal gas
13 utilities, and gas districts or any combination thereof.

14 (b) Each municipal or gas district shall pay a regulatory
15 assessment fee in the amount of 0.001919 of its gross operating
16 revenue derived from intrastate business, excluding sales for
17 resale between public utilities, municipal gas utilities, and gas
18 district or any combination thereof.

19 (2) Regulatory assessment fees are due each January 30 for
20 the preceding period or any part of the period from July 1 until
21 December 31, and on July 30 for the preceding period or any part
22 of the period from January 1 until June 30.

23 (3) If the due date falls on a Saturday, Sunday, or a legal
24 holiday, the due date is extended to the next business day. If
25 the fees are sent by registered mail, the date of the

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1 registration is the United States Postal Service's postmark date.
2 If the fees are sent by certified mail and the receipt is
3 postmarked by a postal employee, the date and the receipt is the
4 United States Postal Service's postmark date. The postmarked
5 certified mail receipt is evidence that the fees were delivered.
6 Regulatory assessment fees are considered paid on the date they
7 are postmarked by the United States Postal Service or received
8 and logged in by the Commission's Division of Administration in
9 Tallahassee. Fees are considered timely paid if properly
10 addressed, with sufficient postage and postmarked no later than
11 the due date.

12 (4) Commission Form PSC/ADM 67 (07/96), entitled "Investor-
13 Owned Natural Gas Utility Regulatory Assessment Fee Return" and
14 Form PSC/ADM 71 (07/96), entitled "Gas Municipal or Gas District
15 Regulatory Assessment Fee Return" are incorporated into this rule
16 by reference and may be obtained from the Commission's Division
17 of Administration. The failure of a utility to receive a return
18 form shall not excuse the utility from its obligation to timely
19 remit the regulatory assessment fees.

20 (5) Each utility, municipal, and gas district shall have up
21 to and including the due date in which to:

22 (a) Remit the total amount of its fee or

23 (b) Remit an amount which the utility, municipal, or gas
24 district estimates is its full fee

25 (6) Where the utility, municipal, or gas district remits

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1 | less than its full fee, the remainder of the full fee shall be
2 | due on or before the 30th day from the due date and shall, where
3 | the amount remitted was less than 90 percent of the total
4 | regulatory assessment fee, include interest as provided by
5 | subsection (8) (b) of this rule.

6 | (7) A utility, municipal, or gas district may request from
7 | the Division of Administration a 30-day extension of its due date
8 | for payment of regulatory assessment fees or for filing its
9 | return form.

10 | (a) The request for extension must be written and
11 | accompanied by a statement of good cause.

12 | (b) The request for extension must be received by the
13 | Division of Administration at least two weeks before the due
14 | date.

15 | (c) Where a utility, municipal, or gas district receives an
16 | extension of its due date pursuant to this rule, then the
17 | utility, municipal, or gas district shall remit a charge in
18 | addition to the regulatory assessment fee, as set out in s.
19 | 350.113, F.S.

20 | (8) The delinquency of any amount due to the Commission
21 | from the utility, municipal, or gas district pursuant to the
22 | provisions of s. 350.113, F.S. and this rule, begins with the
23 | first calendar day after any date established as the due date
24 | either by operation of this rule or by an extension pursuant to
25 | this rule.

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1 (a) A penalty, as set out in s. 350.113, F.S. shall apply
2 to any such delinquent amounts.

3 (b) Interest at the rate of 12 percent per annum shall
4 apply to any such delinquent amounts.

5 Specific Authority: 350.127(2), F.S., 366.14, F.S. (1989)

6 Law Implemented: 350.113, F.S., 366.14, F.S. (1989)

7 History: New 5/18/83, formerly 25-7.131, Amended 10/16/86,
8 4/25/90, 07/08/96, _____.

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