

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed repeal of telecommunications
rate-of-return Rules 25-4.017, 25-4.0171, 25-
4.0174, 25-4.0175, 25-4.0178, 25-4.0405, 25-
4.135, 25-4.140, 25-4.141, 25-4.214, and 25-
4.215, F.A.C.

DOCKET NO. 090323-TP
ORDER NO. PSC-09-0508-NOR-TP
ISSUED: July 20, 2009

The following Commissioners participated in the disposition of this matter:

MATTHEW M. CARTER II, Chairman
LISA POLAK EDGAR
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

NOTICE OF RULEMAKING

BY THE COMMISSION:

Notice is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to repeal Rules 25-4.017, 25-4.0171, 25-4.0174, 25-4.0175, 25-4.0178, 25-4.0405, 25-4.135, 25-4.140, 25-4.141, 25-4.214 and 25-4.215, F.A.C., relating to telecommunications rate-of-return.

The attached Notice of Rulemaking will appear in the July 24, 2009 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Written requests for hearing and written comments or suggestions on the rules must be received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than August 14, 2009.

DOCUMENT NUMBER-DATE

07305 JUL 20 8

FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 20th day of July, 2009.

ANN COLE
Commission Clerk

By: Dorothy E. Menasco
Dorothy E. Menasco
Chief Deputy Commission Clerk

(SEAL)

CM

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-4.017: Uniform System of Accounts for Rate-of-Return Regulated Local Exchange Companies

25-4.0171: Allowance for Funds Used During Construction

25-4.0174: Depreciation Accounts for Rate-of-Return Regulation Local Exchange Companies

25-4.0175: Depreciation for Rate-of-Return Regulated Local Exchange Companies

25-4.0178: Retirement Units for Rate-of-Return Regulated Local Exchange Companies

25-4.0405: Telephone Directory Advertising Revenues

25-4.135: Annual Reports

25-4.140: Test Year Notification

25-4.141: Minimum Filing Requirements for Rate-of-Return Regulated Local Exchange Companies; Commission Designee

25-4.214: Tariff Filings

25-4.215: Limited Scope Proceedings

PURPOSE AND EFFECT: There are no longer any telecommunication rate-of-return regulated local exchange companies. Thus, there is no need for these rules that address such companies.

SUMMARY: Rules are repealed that relate to rate-of-return regulated local exchange companies. There are no longer rate-of-return regulated telecommunication companies. The requirements listed by the rules include accounting rules, reporting and minimum filing requirements for rate cases. Docket 090323-TP.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: There should be no incremental costs for eliminating the rules because they are obsolete.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 350.115, 364.03, 364.035, 364.037, 364.04, 364.05, 364.052, 364.058, 364.17, FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dale Mailhot, Division of Regulatory Compliance, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-

0850, (850) 413-6418.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.017 Uniform System of Accounts for Rate-of-Return Regulated Local Exchange Companies.

Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.17 FS. History—Revised 12-1-68, Amended 3-31-76, 8-21-79, 1-2-80, 12-13-82, 12-13-83, 9-30-85, Formerly 25-4.17, Amended 11-30-86, 4-25-88, 2-10-92, 8-11-92, 3-10-96, 9-15-03, Repealed.

25-4.0171 Allowance for Funds Used During Construction.

Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.035, 364.17 FS. History—New 8-11-86, Formerly 25-4.171, Amended 11-13-86, 12-7-87, 3-10-96, Repealed.

25-4.0174 Depreciation Accounts for Rate-of-Return Regulated Local Exchange Companies.

Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.17 FS. History—New 4-25-88, Amended 9-11-96, Repealed.

25-4.0175 Depreciation for Rate-of-Return Regulated Local Exchange Companies.

Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.03 FS. History—New 9-8-81, Amended 4-28-83, 1-6-85, Formerly 25-4.175, Amended 4-27-88, 12-12-91, 9-11-96, Repealed.

25-4.0178 Retirement Units for Rate-of-Return Regulated Local Exchange Companies.

Specific Authority 350.127(2) FS. Law Implemented 350.115, 364.17 FS. History—New 4-25-88, Repealed.

25-4.0405 Telephone Directory Advertising Revenues.

Specific Authority 350.127(2) FS. Law Implemented 364.037 FS. History—New 4-20-86, Formerly 25-4.405, Amended 4-25-88, 3-10-96, 9-15-03, Repealed.

25-4.135 Annual Reports.

Specific Authority 350.127(2) FS. Law Implemented 364.17 FS. History—New 12-27-94, Amended 3-10-96, 9-15-03, Repealed.

25-4.140 Test Year Notification.

Specific Authority 350.127(2) FS. Law Implemented 364.05(3) FS. History—New 5-4-81, Amended 10-15-84, 9-21-92, Repealed.

25-4.141 Minimum Filing Requirements for Rate-of-Return Regulated Local Exchange Companies; Commission Designee.

Specific Authority 350.127(2) FS. Law Implemented 364.05(4) FS. History—New 5-4-81, Amended 7-29-85, 6-12-86, 2-3-88, 3-10-96, 1-31-00, Repealed.

25-4.214 Tariff Filings.

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Specific Authority 350.127(2) FS. Law Implemented 364.04, 364.052 FS. History–New 3-10-96,
Repealed.

25-4.215 Limited Scope Proceedings.

Specific Authority 350.127(2) FS. Law Implemented 364.05, 364.052, 364.058 FS. History–New
3-10-96, Amended 11-20-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dale Mailhot

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public
Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 35,
Number 18, May 8, 2009.