

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL INTERESTED PERSONS

UNDOCKETED

IN RE: PROPOSED AMENDMENTS TO RULE 25-6.093, F.A.C., INFORMATION TO CUSTOMERS, RULE-25-6.097, F.A.C., CUSTOMER DEPOSITS, RULE 25-6.100, F.A.C., CUSTOMER BILLINGS, RULE 25-7.079, F.A.C., INFORMATION TO CUSTOMERS, RULE 25-7.083, F.A.C., CUSTOMER DEPOSITS, AND RULE 25-7.085, F.A.C., CUSTOMER BILLING.

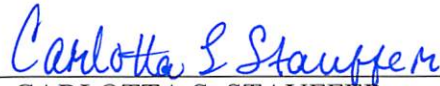
ISSUED: September 28, 2015

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to amend Rules 25-6.093, 25-6.097, 25-6.100, 25-7.079, 25-7.083, and 25-7.085, Florida Administrative Code, to implement and make consistent with statutory amendments concerning information to customers, customer billings, and customer deposits by electric and gas utilities, and to simplify, clarify and delete obsolete rule provisions.

The attached Notice of Development of Rulemaking appeared in the September 25, 2015 edition of the Florida Administrative Register. If requested in writing and not deemed unnecessary by the agency head, a rule development workshop will be scheduled and noticed in the next available Florida Administrative Register. Written requests for a rule development workshop must be submitted to Pamela H. Page, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850)413-6214, phpage@psc.state.fl.us by October 12, 2015. A copy of the preliminary draft rules is attached.

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By DIRECTION of the Florida Public Service Commission this 28th day of September,
2015.



CARLOTTA S. STAUFFER
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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Notice of Development of Rulemaking

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-6.093	Information to Customers
25-6.097	Customer Deposits
25-6.100	Customer Billings

PURPOSE AND EFFECT: To implement amendments to Section 366.05, F.S., on customer billing, customer deposits, and customer information and to simplify, clarify, and delete obsolete rule provisions.

UNDOCKETED

SUBJECT AREA TO BE ADDRESSED: Information to customers, customer deposits and customer billings by electric utilities.

RULEMAKING AUTHORITY: [350.127\(2\)](#), [366.05\(1\)\(a\)](#) FS.

LAW IMPLEMENTED: [366.03](#), [366.04\(2\)](#), [366.041\(1\)](#), [366.05\(1\)\(b\)](#), [366.05\(1\)\(c\)](#), [366.05\(1\)\(d\)](#), [366.051](#), [366.06\(1\)](#) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela H. Page, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, phpage@psc.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

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Notice of Development of Rulemaking

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-7.079	Information to Customers
25-7.083	Customer Deposits
25-7.085	Customer Billing

PURPOSE AND EFFECT: To implement amendments to Section 366.05, F.S., on customer billing, customer deposits, and customer information, and to simplify, clarify, and delete obsolete rule provisions.

UNDOCKETED

SUBJECT AREA TO BE ADDRESSED: Information to customers, customer deposits and customer billing by gas utilities.

RULEMAKING AUTHORITY: [350.127\(2\)](#), [366.05\(1\)\(a\)](#) FS.

LAW IMPLEMENTED: [366.03](#), [366.05\(1\)](#), [366.05\(1\)\(b\)](#), [366.05\(1\)\(c\)](#), [366.05\(1\)\(d\)](#), [366.06](#), [366.06\(1\) FS](#).

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela H. Page, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, phpage@psc.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

1 **25-6.093 Information to Customers.**

2 (1) ~~Each utility shall, upon request of any customer, give such information and assistance as is~~
3 ~~reasonable, in order that the customer may secure safe and efficient service.~~ Upon the
4 customer's request, the utility shall provide to the ~~any~~ customer information as to the method
5 of reading meters and the derivation of billing therefrom, the billing cycle and approximate
6 date of monthly meter reading.

7 (2) Upon request of the ~~any~~ customer, the utility shall ~~is required to~~ provide to the customer a
8 copy and explanation of the utility's rates and provisions applicable to the type or types of
9 service furnished or to be furnished such customer, ~~and to assist the customer in obtaining the~~
10 ~~rate schedule which is most advantageous to the customer's requirements.~~

11 (3)(a) By bill insert or other means agreed to by both the customer and the utility ~~appropriate~~
12 ~~means of communication~~, the utility shall give to each of its customers the ~~a summary of~~
13 ~~major~~ rate schedules that ~~which~~ are available to the class of which that customer is a member,
14 ~~and~~

15 (b) The utility shall provide the information contained in paragraph (a) to all its customers:

16 1. Not later than 60 days after the commencement of service, ~~and~~

17 2. Not less frequently than once each year, and

18 3. Not later than 60 days after the utility has received approval of its new rate schedule
19 applicable to such customer.

20 (c) In this subsection, "rate schedule" shall mean customer charge, energy charge, and demand
21 charge, as set forth in Rule 25-6.100, F.A.C.

22 (d) By bill insert, or as a message on the customer bill, on a quarterly basis using the utility's
23 normal billing cycle, each utility shall provide its customers the sources of generation for the
24 most recent 12-month period available prior to the billing cycle. The sources of generation
25 shall be stated by fuel type for utility generation and as "purchased power" for off-system

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1 purchases. The sources of generation are to be set forth as kilowatt-hour percentages of the
2 total utility generation and purchased power.
3 (4) Upon request of the any customer, but not more frequently than once each calendar year,
4 the utility shall provide to the customer ~~transmit~~ a concise statement of the actual
5 consumption of electric energy by that customer for each billing period during the previous 12
6 months.

7 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.04(2)(f), (6),*
8 *366.041(1), 366.05(1), (3), 366.06(1) FS. History—New 7-29-69, Amended 11-26-80, 6-28-82,*
9 *10-15-84, Formerly 25-6.93, Amended 4-18-99, _____.*

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1 **25-6.097 Customer Deposits.**

2 (1) ~~Deposit required; establishment of credit.~~ Each company's tariff shall state the
3 methodology contain their specific criteria for determining the amount of the initial deposit
4 charged for existing accounts and new service requests. The methodology shall conform to
5 paragraph 366.05(1)(c), F.S. ~~Each utility may require an applicant for service to satisfactorily~~
6 ~~establish credit, but such establishment of credit shall not relieve the customer from~~
7 ~~complying with the utilities' rules for prompt payment of bills. Credit will be deemed so~~
8 ~~established if:~~

9 (2) Each utility may require an applicant for service to satisfactorily establish credit, but such
10 establishment of credit shall not relieve the customer from complying with the utilities' rules
11 for payment of bills. Credit will be deemed so established if:

12 (a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for
13 the service requested. For residential customers, a satisfactory guarantor shall, at the
14 minimum, be a customer of the utility with a satisfactory payment record. For non-residential
15 customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall
16 develop minimum financial criteria that a proposed guarantor must meet to qualify as a
17 satisfactory guarantor. A copy of the criteria shall be made available to each new non-
18 residential customer upon request by the customer. A guarantor's liability shall be terminated
19 when a residential customer whose payment of bills is secured by the guarantor meets the
20 requirements of subsection (32) of this rule. Guarantors providing security for payment of
21 residential customers' bills shall only be liable for bills contracted at the service address
22 contained in the contract of guaranty.

23 (b) The applicant pays a cash deposit.

24 (c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety
25 bond.

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1 (~~32~~) Refund of deposits. After a customer has established a satisfactory payment record and
2 has had continuous service for a period of 23 months, the utility shall refund the residential
3 customer's deposits and shall, at the utility's ~~its~~ option, either refund or pay the higher rate of
4 interest specified below for nonresidential deposits, providing the customer has not, in the
5 preceding 12 months:-

6 (a) Made more than one late payment of a bill (after the expiration of 20 days from the date of
7 mailing or delivery by the utility).

8 (b) Paid with a check refused by a bank.

9 (c) Been disconnected for nonpayment, or at any time.

10 (d) Tampered with the electric meter, or

11 (e) Used service in a fraudulent or unauthorized manner.

12 (~~43~~) Deposits for existing accounts ~~New or additional deposits~~. A utility may charge ~~require~~,
13 upon ~~reasonable~~ written notice to the customer of not less than thirty (30) days, a ~~new deposit,~~
14 ~~where previously waived or returned, or additional deposit on an existing account;~~ in order to
15 secure payment of ~~current~~ bills. Such request for a deposit shall be separate and apart from any
16 bill for service and shall explain the reason for the ~~such new or additional deposit, provided,~~
17 ~~however, that the total amount of the required deposit shall not exceed an amount equal to~~
18 ~~twice the average charges for actual usage of electric service for the twelve-month period~~
19 ~~immediately prior to the date of notice. In the event the customer has had service less than~~
20 ~~twelve months, then the utility shall base its new or additional deposit upon the average actual~~
21 ~~monthly usage available. The deposit charged must conform to the requirements of Section~~
22 366.05(1)(c)1., F.S.

23 (~~54~~) Interest on deposits.

24 (a) Each electric utility which requires deposits to be made by its customers shall pay a
25 minimum interest on such deposits of 2 percent per annum. The utility shall pay an interest
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existing law.

1 rate of 3 percent per annum on deposits of nonresidential customers qualifying under
2 subsection (32) when the utility elects not to refund such deposit after 23 months. ~~Such~~
3 ~~interest rates shall be applied within 45 days of the effective date of the rule.~~

4 (b) The deposit interest shall be simple interest in all cases and settlement shall be made
5 annually, either in cash or by credit on the current bill. This does not prohibit any utility
6 paying a higher rate of interest than required by this rule. No customer depositor shall be
7 entitled to receive interest on a his deposit until and unless a customer relationship and the
8 deposit have been in existence for a continuous period of six months, then the customer ~~he~~
9 shall be entitled to receive interest from the day of the commencement of the customer
10 relationship and the placement of deposit. Nothing in this rule shall prohibit a utility from
11 refunding at any time a deposit with any accrued interest.

12 (65) Record of deposits. Each utility ~~having on hand deposits from a customer or hereafter~~
13 ~~receiving deposits from them~~ shall keep records to show:

- 14 (a) The name of each customer making the deposit;
15 (b) The premises for which the deposit applies ~~occupied by the customer~~;
16 (c) The date and amount of deposit; and
17 (d) Each transaction concerning the deposits such as interest payments, interest credited or
18 similar transactions.

19 (76) Receipt for deposit. The utility shall provide a receipt to the customer for any deposit
20 received from the customer ~~A non-transferable certificate of deposit shall be issued to each~~
21 ~~customer and means provided so that the customer may claim the deposit if the certificate is~~
22 ~~lost. Where a new or additional deposit is required under subsection (3) of this rule, a~~
23 ~~customer's cancelled check or validated bill coupon may serve as a deposit receipt.~~

24 (87) Refund of deposit when service is discontinued. Upon termination of service, the deposit
25 and accrued interest may be credited against the final account and the balance, if any, shall be

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1 returned promptly to the customer but in no event later than fifteen (15) days after service is
2 discontinued.

3 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.041(1),*
4 *366.05(1), 366.06(1) FS. History—New 7-29-69, Amended 5-9-76, 7-8-79, 6-10-80, 10-17-83,*
5 *1-31-84, Formerly 25-6.97, Amended 10-13-88, 4-25-94, 3-14-99, 7-26-12, _____.*

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1 **25-6.100 Customer Billings.**

2 (1) Bills shall be rendered monthly and as promptly as possible following the reading of
3 meters.

4 (2) ~~By January 1, 1983,~~ Each customer's bill shall show at least the following information:

5 (a) The meter reading and the date the meter is read, in addition to the meter reading for the
6 previous period. If the meter reading is estimated, the word "estimated" shall be prominently
7 displayed on the bill.

8 (b)1. Kilowatt-hours (KWH) consumed including on and off peak if customer is time-of-day
9 metered.

10 2. Kilowatt (KW) demand, if applicable, including on and off peak if customer is time-of-day
11 metered.

12 (c) The dollar amount of the bill, including separately:

13 1. Customer charge.

14 2. Energy (KWH) charge, exclusive of fuel, in cents per KWH, including amounts for on and
15 off peak if the customer is time-of-day metered, and energy conservation costs.

16 3. Demand (KW) charge, exclusive of fuel, in dollar cost per KW, if applicable, including
17 amounts for on and off peak if the customer is time-of-day metered.

18 4. Fuel cost in cents per KWH (no fuel costs shall be included in the base charge for demand
19 or energy).

20 5. Total electric cost which is the sum of the customer charge, total fuel cost, total energy cost,
21 and total demand cost.

22 6. Franchise fees, if applicable.

23 7. Taxes, as applicable on purchases of electricity by the customer.

24 8. Any discount or penalty, if applicable.

25 9. Past due balances shown separately.

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- 1 10. The gross and net billing, if applicable.
- 2 11. The rate and amount of the “Asset Securitization Charge,” pursuant to paragraph
- 3 366.95(4)(b), F.S., if applicable.
- 4 (d) Identification of the applicable rate schedule.
- 5 (e) The date by which payment must be made in order to benefit from any discount or avoid
- 6 any penalty, if applicable.
- 7 (f) The average daily KWH consumption for the current period and for the same period in the
- 8 previous year, for the same customer at the same location.
- 9 (g) The delinquent date or the date after which the bill becomes past due.
- 10 (h) Any conversion factors which can be used by customers to convert from meter reading
- 11 units to billing units. Where metering complexity makes this requirement impractical, a
- 12 statement must be on the bill advising that such information may be obtained by contacting the
- 13 utility’s local business office.
- 14 (i) Where budget billing is used, ~~the bill shall contain~~ the current month’s consumption and
- 15 charges separately from budgeted amounts.
- 16 (j) If applicable, the information required by subsection 366.8260(4), F.S., and subsection
- 17 366.95(4), F.S.
- 18 ~~(k)~~ The name and address of the utility and ~~plus~~ the toll-free number(s) where customers can
- 19 receive information about their bill as well as locations where the customers can pay their
- 20 utility bill. Such information must identify those locations where no surcharge is incurred.
- 21 (3) When there is sufficient cause, estimated bills may be submitted provided that with the
- 22 third consecutive estimated bill the company shall contact the customer explaining the reason
- 23 for the estimated billing and who to contact in order to obtain an actual meter reading. An
- 24 actual meter reading must be taken at least once every six months. If an estimated bill appears
- 25 to be abnormal when a subsequent reading is obtained, the bill for the entire period shall be
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1 computed at a rate which contemplates the use of service during the entire period and the
2 estimated bill shall be deducted. If there is reasonable evidence that such use occurred during
3 only one billing period, the bill shall be computed.

4 ~~(4) The regular meter reading date may be advanced or postponed not more than five days
5 without a pro-ration of the billing for the period.~~

6 (45) Whenever the period of service for which an initial or opening bill is rendered is less than
7 the normal billing period, the charges applicable to such service, including minimum charges,
8 shall be prorated ~~pro-rated~~ except that initial or opening bills need not be rendered but the
9 energy used during such period may be carried over to and included in the next regular
10 monthly billing.

11 (56) The practices employed by each utility regarding customer billing shall have uniform
12 application to all customers on the same rate schedule.

13 (67) Franchise Fees.

14 (a) When a municipality charges a utility any franchise fee, the utility may collect that fee only
15 from its customers receiving service within that municipality. When a county charges a utility
16 any franchise fee, the utility may collect that fee only from its customers receiving service
17 within that county.

18 (b) A utility may not incorporate any franchise fee into its other rates for service.

19 (c) For the purposes of this subsection, the term "utility" shall mean any electric utility, rural
20 electric cooperative, or municipal electric utility.

21 (d) This subsection shall not be construed as granting a municipality or county the authority to
22 charge a franchise fee. This subsection only specifies the method of collection of a franchise
23 fee, if a municipality or county, having authority to do so, charges a franchise fee.

24 *Rulemaking Authority 366.05(1), 366.04(2) FS. Law Implemented 366.03, 366.04(2),*

25 *366.041(1), 366.05(1), 366.051, 366.06(1), 366.8260(4), 366.95(4) FS. History—New 2-25-76,*

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1 Amended 4-13-80, 12-29-81, 6-28-82, 5-16-83, 2-4-13,_____.

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1 **25-7.079 Information to Customers.**

2 (1) ~~Each utility shall, upon request, give its customers such information and assistance as is~~
3 ~~reasonable, in order that the customer may secure safe and efficient service.~~ The utility shall,
4 when requested by the customer, provide to the ~~any~~ customer information as to the method of
5 reading meters and derivation of billing therefrom.

6 (2) Upon request of the ~~any~~ customer, ~~it shall be the duty of the utility shall to~~ provide to the
7 customer, a copy and/or explanation of the utility's rates applicable to the type or types of
8 service furnished or to be furnished to the ~~such~~ customer, ~~and to assist him in obtaining the~~
9 ~~rate which is most advantageous for the customer's his service requirements.~~

10 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.03, 366.05(1), 366.06 FS.*

11 *History—New 1-8-75, Repromulgated 5-4-75, Formerly 25-7.79, Amended _____.*

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1 **25-7.083 Customer Deposits**

2 ~~(1) Deposit required; establishment of credit.~~ Each company's tariff shall state the
3 methodology contain their specific criteria for determining the amount of the initial deposit
4 charged for existing accounts and new service requests. The methodology shall conform to
5 Section 366.05(1)(c), F.S. ~~Each utility may require an applicant for service to satisfactorily~~
6 ~~establish credit, but such establishment of credit shall not relieve the customer from~~
7 ~~complying with the utilities' rules for prompt payment of bills. Credit will be deemed so~~
8 ~~established if:~~

9 (2) Each utility may require an applicant for service to satisfactorily establish credit, but such
10 establishment of credit shall not relieve the customer from complying with the utilities' rules
11 for payment of bills. Credit will be deemed so established if:

12 (a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for
13 the service requested. For residential customers, a satisfactory guarantor shall, at the
14 minimum, be a customer of the utility with a satisfactory payment record. For non-residential
15 customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall
16 develop minimum financial criteria that a proposed guarantor must meet to qualify as a
17 satisfactory guarantor. A copy of the criteria shall be made available to each new non-
18 residential customer upon request by the customer. A guarantor's liability shall be terminated
19 when a residential customer whose payment of bills is secured by the guarantor meets the
20 requirements of subsection ~~(76)~~ of this rule. Guarantors providing security for payment of
21 residential customers' bills shall only be liable for bills contracted at the service address
22 contained in the contract of guaranty.

23 (b) The applicant pays a cash deposit.

24 (c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety
25 bond.

26 ~~(32) Receipt for deposit.~~ The utility shall provide a receipt to the customer for any deposit
27 received from the customer. ~~A non-transferable certificate of deposit shall be issued to each~~
28 ~~customer and means provided so that the customer may claim the deposit if the certificate is~~
29 CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from
30 existing law.

1 ~~lost. When a new or additional deposit is required under subsection (3) of this rule a~~
2 ~~customer's cancelled check or validated bill coupon may serve as a deposit receipt.~~
3 ~~(43) Deposits for existing accounts New or additional deposits. A utility may charge require,~~
4 ~~upon reasonable written notice to the customer of not less than 30 days, ~~such request or notice~~~~
5 ~~being separate and apart from any bill for service, a new deposit, where previously waived or~~
6 ~~returned, or an additional a deposit on an existing account; in order to secure payment of~~
7 ~~current bills; provided, however, that the total amount of the required deposit shall not exceed~~
8 ~~an amount equal to the average actual charges for gas service for two billing periods for the~~
9 ~~12-month period immediately prior to the date of notice. In the event the customer has had~~
10 ~~service less than 12 months, then the utility shall base its new or additional deposit upon the~~
11 ~~average actual monthly billing available. Such request for a deposit shall be separate and apart~~
12 ~~from any bill for service and shall explain the reason for the deposit. The deposit charged must~~
13 ~~conform to the requirements of Section 366.05(1)(c)1., F.S.~~
14 ~~(54) Record of deposit. Each utility ~~having on hand deposits from customers or hereafter~~~~
15 ~~receiving deposits from them shall keep records to show:~~
16 (a) The name of each customer making the deposit;
17 (b) The premises for which the deposit applies ~~occupied by the customer;~~
18 (c) The date and amount of deposit; and
19 (d) Each transaction concerning the deposit such as interest payments, interest credited or
20 similar transactions.
21 ~~(65) Interest on deposits.~~
22 (a) Each gas utility which requests deposits to be made by its customers shall pay a minimum
23 interest on such deposits of 2 percent per annum. The utility shall pay a minimum interest rate
24 of 3 percent per annum on deposits of nonresidential customers qualifying under subsection
25 ~~(76) below when the utility elects not to refund such a deposit after 23 months. Such interest~~
~~rates shall be applied within 45 days of the effective date of the rule.~~
(b) The deposit interest shall be simple interest in all cases and settlement shall be made
annually, either in cash or by credit on the current bill. This does not prohibit any utility
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existing law.

1 paying a higher rate of interest than required by this rule. No customer depositor shall be
2 entitled to receive interest on a his deposit until and unless a customer relationship and the
3 deposit have been in existence for a continuous period of six months, then the customer ~~he~~
4 shall be entitled to receive interest from the day of the commencement of the customer
5 relationship and the placement of deposit. Nothing in this rule shall prohibit a utility from
6 refunding at any time a deposit with any accrued interest.

6 (76) Refund of deposit. After a customer has established a satisfactory payment record and has
7 had continuous service for a period of 23 months, the utility shall refund the residential
8 customer's deposits and shall, at the utility's ~~its~~ option, either refund or pay the higher rate of
9 interest specified above for nonresidential deposits, provided the customer has not, in the
10 preceding 12 months:

- 11 (a) Made more than one late payment of a bill (after the expiration of 20 days from the date of
12 mailing or delivery by the utility);
13 (b) Paid with check refused by a bank;
14 (c) Been disconnected for nonpayment, or at any time;
15 (d) Tampered with the gas meter; or
16 (e) Used service in a fraudulent or unauthorized manner. ~~Nothing in this rule shall prohibit the~~
17 ~~company from refunding at any time a deposit with any accrued interest.~~

17 (87) Refund of deposit when service is disconnected. Upon termination of service, the deposit
18 and accrued interest may be credited against the final account and the balance, if any, shall be
19 returned promptly to the customer but in no event later than fifteen (15) days after service is
20 discontinued.

21 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.05(1) FS.*
22 *History—New 1-8-75, Amended 6-15-76, 6-10-80, 1-31-84, Formerly 25-7.83, Amended 10-13-*
23 *88, 4-25-94, 3-14-99, 7-26-12, _____.*

1 **25-7.085 Customer Billing.**

2 (1) Bills shall be rendered monthly. With the exception of a duplicate bill, each customer's bill
3 shall show at least the following information:

4 (a) The meter reading and the date the meter was read plus the meter reading for the previous
5 period. When an electronic meter is used, the gas volume consumed for the billing month may
6 be shown. If the gas consumption is estimated, the word "estimated" shall prominently appear
7 on the bill.

8 (b) Therms and cubic feet consumed.

9 (c) The total dollar amount of the bill, indicating separately:

10 1. Customer charge.

11 2. Energy (therm) charge exclusive of fuel cost in cents per therm.

12 3. Fuel cost in cents per therm (no fuel costs shall be included in the charge for energy).

13 4. Total gas cost which is the sum of the customer charge, total fuel cost and total energy cost.

14 5. Franchise fees, if applicable.

15 6. Taxes, as applicable on purchases of gas by the customer.

16 7. Any discount or penalty, if applicable.

17 8. Past due balances.

18 9. The gross and net billing, if applicable.

19 (d) Identification of the applicable rate schedule.

20 (e) The date by which payment must be made in order to benefit from any discount or avoid
21 any penalty, if applicable.

22 (f) The average daily therm consumption for the current period and for the same period in the
23 previous year, for the same customer at the same location.

24 (g) The delinquent date or the date after which the bill becomes past due.

25 (h) Any conversion factors which can be used by customers to convert from meter reading
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existing law.

1 units to billing units.

2 (i) Where budget billing is used, the bill shall contain the current month's consumption and
3 charges separately from budgeted amounts.

4 (j) The name of the utility plus the address and telephone number of the local office where the
5 bill can be paid and questions concerning the bill can be answered.

6 (2) All gas utilities shall charge for gas service on a thermal basis instead of on a volume
7 basis. The provisions governing customer billing on a thermal basis shall be as follows:

8 (a) The unit of service shall be the "Therm."

9 (b) The number of therms which shall have been taken by consumer during a given period
10 shall be determined by multiplying the difference in the meter readings in cubic feet at the
11 beginning and end of the period by the conversion factors in paragraph (1)(h) including a
12 heating-value factor which has been determined as prescribed in paragraph (c) below.

13 (c) The heating-value factor for gas utilities receiving and distributing natural gas shall be the
14 average thermal value of the natural gas received and distributed during the preceding month.
15 In case the average heating value during the calendar month has been below the standard, then
16 the value to be used in determining the factor shall be the heating value standard minus a
17 deduction of one percent (1%) for each one percent (1%) or fraction thereof that the average
18 heating value has been below the standard.

19 (d) The consumer shall be billed to the nearest one-tenth of a therm.

20 (3) Whenever the period of service for which an initial or opening bill would be rendered is
21 less than the normal billing period, no bill for that period need be rendered if the volume
22 amount consumed is carried over and included in the next regular monthly billing. If,
23 however, a bill for such period is rendered, the applicable charges, including minimum
24 charges, shall be prorated.

25 (4) When there is sufficient cause, estimated billings may be used by a utility provided that
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existing law.

1 with the customer's third consecutive estimated billing the customer is informed of the reason
2 for the estimation and whom to contact to obtain an actual meter reading if one is desired. An
3 actual meter reading must be taken at least once every six months. If an estimated bill appears
4 to be abnormal once an actual meter reading is obtained, the bill for the entire estimation
5 period shall be computed at a rate based on use of service during the entire period and the
6 estimated bill shall be deducted. If there is substantial evidence that such use occurred during
7 only one billing period, the bill shall be computed.

8 ~~(5) Regular meter reading dates may be advanced or postponed not more than five days~~
9 ~~without a proration of the billing for the period.~~

10 (56) The practices employed by each utility regarding customer billing shall have uniform
11 application to all customers on the same rate schedule.

12 (67) Franchise Fees.

13 (a) When a municipality charges a utility any franchise fee, the utility may collect that fee only
14 from its customers receiving service within that municipality. When a county charges a utility
15 any franchise fee, the county may collect that fee only from its customers receiving service
16 within that county.

17 (b) A company may not incorporate any franchise fee into its other rates for service.

18 (c) This subsection shall not be construed as granting a municipality or county the authority to
19 charge a franchise fee. This subsection only specifies the method of collection of a franchise
20 fee, if a municipality or county, having authority to do so, charges a franchise fee.

21 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.05(1), 366.06(1) FS. History—New*
22 *12-15-73, Repromulgated 1-8-75, Amended 5-4-75, 11-21-82, 12-26-82, Formerly 25-7.85,*
23 *Amended 10-10-95, 7-3-96, _____.*

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