

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: October 28, 2015
TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk
FROM: Pamela H. Page, Senior Attorney, Office of the General Counsel *PHP*
RE: UNDOCKETED - Documents to be filed in Docket No. 150000-OT

Please file the following attached documents in Docket No. 150000-OT:

1. Gulf Power's comments on amendments to Rule 25-9.093(3)(a), F.A.C.;
2. FPL's comments on amendments on Rules 25-6.093 and 25-6.100, F.A.C.; and
3. TECO's comments on amendments to Rules 25-6.093, 25-6.097 and 25-6.100, F.A.C.

Please contact me at x36214 should you have any questions. Thank you.

PHP

RECEIVED FPSC
15 OCT 28 AM 9:30
COMMISSION
CLERK

Pamela H. Page

From: Roddy, Lisa <LRODDY@southernco.com>
Sent: Thursday, October 22, 2015 11:13 AM
To: Pamela H. Page
Cc: Henderson, Holly
Subject: Gulf Power's Comments - FPSC Rulemaking

Dear Ms. Page:

Per our conversation, I am sending to you Gulf's comments and proposed changes to the amended language of Rule 25-6.093(3)(a), F.A.C.. Gulf believes that the amended language in Section (3)(a): "means agreed to by both the customer and the utility" could create additional work to communicate with customers. After understanding that Staff's intention is NOT to create an added burden on the utilities, but rather to expand the avenues for communicating to customers how to obtain rate schedules, Gulf proposes the following language:

(3)(a) By paper or electronic bill insert or billing statement, website, electronic notification or other means agreed to by both the customer and the utility appropriate means of communication, the utility shall give to each of its customers the a summary of major rate schedules that ~~which~~ are available to the class of which that customer is a member, ~~and~~

Thank you for taking to the time to discuss and please don't hesitate to call should you have any questions.

Lisa Roddy

Gulf Power Company • Governmental & Regulatory Affairs Coordinator
215 S. Monroe St., Suite 618 • Tallahassee, FL 32301
Work Phone: 850.224.6199 • Cell Phone: 850.545.3730
LRODDY@southernco.com



Pamela H. Page

From: Adams, Lynne <Lynne.Adams@fpl.com>
Sent: Friday, October 23, 2015 4:22 PM
To: Pamela H. Page
Cc: Elisabeth Draper; Don Rome
Subject: FPL's written comments on Draft Rules 25-6.093 and 25-6.100
Attachments: FPL Comments to FPSC Proposed Amendments to 25-6 093 25-6 097 25-6 100 F....docx

Pamela,

On behalf of Kevin Donaldson, attached please find FPL's written comments on the draft rule amendments to Rules 25-6.093 and 25-6.100. FPL greatly appreciates the opportunity to provide these comments and we are available for any questions that you may have.

Thank you,

Lynne Adams
(850) 521-3904

Kevin I.C. Donaldson
Senior Attorney
Florida Power & Light Company
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561-304-5170
(561) 691-7135 (Facsimile)
E-mail: Kevin.Donaldson@fpl.com

October 23, 2015

Ms. Pamela H. Page
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

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

Dear Ms. Page:

On September 28, 2015, the Florida Public Service Commission ("Commission") issued a Notice of Development of Rulemaking regarding 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. The stated purpose for the proposed rule amendments is to "implement and make consistent with statutory amendments concerning information to customers, customer billings, and customer deposits by electric and gas utilities and to simply, clarify and delete obsolete rule provisions." These proposed rule amendments pertain to electric service by electric public utilities, as to which Florida Power and Light Company ("FPL") is submitting written comments. The Notice of Development of Rulemaking also contained proposed amendments to Rule 25-7.079 F.A.C Information to Customer, Rule 25-7.083 F.A.C., Customer Deposits, and Rule 25-7.085 F.A.C, Customer Billing. Because Chapter 25-7 pertains to gas service by gas public utilities, FPL is not providing comments to the Commission's

proposed rule amendments under that Chapter. Please find enclosed FPL's comments and we thank you for the opportunity to participate in the rulemaking process. Please contact me if you or your Staff has any questions.

Sincerely,

/S/ Kevin I.C. Donaldson

Enclosure

cc: FPL comments on proposed rulemaking amendments

Florida Power and Light Company Comments

Introduction

Florida Power and Light Company ("FPL") appreciates the opportunity to submit written comments to the Florida Public Service Commission ("Commission") regarding the proposed amendments to Rule 25-6.093 Florida Administrative Code ("F.A.C.") Information to Customers, 25-6.097 F.A.C. Customer Deposits, and 25-6.100 F.A.C. Customer Billings. For the reasons discussed below, the Commission should adopt FPL's revisions to the proposed amendments to Rule 25-6.093(3)(a) and 25-6.100(4).

General Comments

As articulated in the Notice of Development of Rulemaking, one of the purposes of the Commission staff initiating rulemaking amendments is to implement and make consistent with statutory changes its rules concerning Information to Customers, Customer Deposits, and Customer Billings, by electric utilities. The Florida Legislature recently amended certain subsections of Florida Statute, Section 366.05 entitled "Powers" which provides regulatory authority of electric utilities to the Commission. The relevant portions of the new statutory language in 366.05(1) are:

(1)(a) In the exercise of such jurisdiction, the commission shall have power to prescribe fair and reasonable rates and charges, classifications, standards of quality and measurements, including the ability to adopt construction standards that exceed the National Electrical Safety Code, for purposes of ensuring the reliable provisions of service, and service rules and regulation to be observes by each public utility; to require repairs, improvements, additions, replacements, and extension to the plant and equipment of any public utility when reasonably necessary to promote the convenience and welfare

of the public and secure adequate service or facilities for those reasonably entitled thereto; to employ and fix the compensation for such examiners and technical, legal, and clerical employees as it deems necessary to carry out the provisions of this chapter; and to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement and enforce the provisions of this chapter.

(b) If the commission authorizes a public utility to charge tiered rates based upon levels of usage and to vary its regular billing period, the utility may not charge a customer a higher rate because of an increase in usage attributable to an extension of the billing period; however, the regular meter reading date may not be advanced or postponed more than 5 days for routine operating reasons without prorating the billing for the period.

(c) Effective January 1, 2016, a utility may not charge or receive a deposit in excess of the following amounts:

1. For an existing account, the total deposit may not exceed 2 months of average actual charges, calculated by adding the monthly charges from the 12-month period immediately before the date any change in the deposit amount is sought, dividing this total by 12, and multiplying the result by 2. If the account has less than 12 months of actual charges, the deposit shall be calculated by adding the available monthly charges, dividing this total by the number of months available, and multiplying the result by 2.

2. For a new service request, the total deposit may not exceed 2 months of projected charges, calculated by adding the 12 months of projected charges, dividing this total by 12, and multiplying the result by 2. Once a new customer has had continuous service for a 12-month period, the amount of the deposit shall be recalculated using actual data. Any difference between the projected and actual amounts must be resolved by the customer paying any additional amount that may be billed by the utility or the utility returning any overcharge.

(d) If a utility has more than one rate for any customer class, it must notify each customer in that class of the available rates and explain how the rate is charged to the customer. If a customer contacts the utility seeking assistance in selecting the most advantageous rate, the utility must provide good faith assistance to the customer. The customer is responsible for charges for service provided under the selected rate.

(e) New tariffs and changes to an existing tariff, other than an administrative change that does not substantially change the meaning or operation of the tariff, must be approved by majority vote of the commission, except as otherwise specifically provided by law.

First, the new statutory language 366.05(1)(c)(1-2) modifies and/or expands customer deposit requirements that are currently reflected in F.A.C. rule 25-6.097(1) Second, the amended

statute 366.05(1)(b) incorporates the meter reading date proration requirements that are currently reflected in F.A.C. rule 25-6.100(4). Third, the amended statute 366.05(1)(d) places a duty on the utility to notify and explain to the customer the class of available rates for said customer which is partially reflected in F.A.C. rule 25-6.093. Fourth, the amended statute 366.05(1)(e) added the requirement that tariff changes must be approved by majority vote of the Commission unless the tariff changes are administrative and not substantial in nature. FPL understands that these statutory changes may be the motivation for certain of the Commission's proposed amendments to Rules 25-6.093, 25-6.097 and 25-6.100. For the most part, FPL has no objection to amending those rules as proposed in order to conform with the new statutory requirements. However, as discussed below in more detail, FPL proposes some relatively minor revisions to the proposed amendments that would reduce the complexity and resulting cost to FPL and its customers of implementing them, while still remaining consistent with the revised statute.

The Commission's notice also stated the purpose of the proposed rule amendments is to simply, clarify, and delete obsolete rule provisions. The Commission has identified certain sections of the proposed rule amendments that FPL believes don't appear to be a result of the statutory changes of 366.05. One specifically, F.A.C. rule 25-6.093(3)(a) as proposed by the Commission states:

“By bill insert or other means agreed to by both the customer and the utility, the utility shall give to each of its customers the rate schedules that are available to the class of which that customer is a member.”

The statute, 366.05(1)(a) states that the Commission has the authority to regulate the “service rules and regulation to be observed by each public utility.” Neither the previous statute 366.05(1)(a) nor the amended statute 366.05(1)(d) specifically addresses how and by what method the utility is to notify its customer of the rate schedules. While FPL does not object in total to the Commission’s proposed amendments to clarify certain sections of Rule 25-6.093(3)(a), F.A.C., FPL believes that the minor clarifications suggested below would best articulate and simplify these rule changes.

Specific Changes to Proposed Rule

FPL’s suggested changes are to provide clarification or address customer relations concerns. The following are FPL’s suggested changes to the rule as presented in the September 28, 2015 Notice of Development of Rulemaking, along with an explanation for the changes:

Staff’s September 28, 2015 Proposed Changes:

A. Rule 25-6.093 “Information to Customers”

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

FPL’s Suggested Changes:

Rule 25-6.093 “Information to Customers”

By paper or electronic bill insert, or other means agreed to by both the customer and the utility ~~appropriate means of communication~~, the utility shall give to each of its customers a summary of all available electrical major rates schedules ~~that which~~ are available to the class of which that customer is a member.

Bill Insert:

FPL historically provided bill inserts in paper form to its customers. These bill inserts contained rate schedule information, other company information, and were mailed to the customer's service address. There are costs associated with mailing the customer's electric bill and bill inserts such as postage, printing, materials, etc.

As time has progressed and technological advancements have changed, the way FPL communicates with its customers is gradually progressing to be predominately through electronic media. Currently, the type of electronic media that is the primary mode of providing customers their electric bill and bill inserts is electronic mail ("e-mail"). FPL customers, when initiating new service, transfer of service, or establishing an online account, provide their e-mail account to receive their electric bill and bill inserts. While FPL believes that the term "bill insert" can be either "paper or electronic" in the current and proposed rules, FPL believes that its suggested revisions will better clarify and maintain the current practices and processes FPL utilizes today. If for some reason the Commission interprets the term "bill insert" to be a communication in paper form only and not be a communication by an electronic format, a costly and time consuming conversion process would be required. Therefore, FPL believes that its proposed inclusion of terms "paper or electronic" preceding bill insert, in the proposed rule is reasonable and necessary to maintain today's practices.

Deletion of "Appropriate means of communication" language and Inclusion of "Means agreed to by both the customer and the utility" language:

As FPL has articulated above, the utilization of electronic media is becoming the primary way to communicate with customers. With the deletion from the rule the phrase "appropriate

means of communication,” FPL is concerned that without its suggested revisions as articulated in the “Bill Insert” section, the proposed rule change would severely restrict and or diminish the way FPL currently communicates with its customers through electronic media (e-mail and/or website). While FPL acknowledges the Commission’s rationale for including the phrase “means agreed to by both the customer and the utility” in the proposed rule change, FPL believes that its proposed revisions shown above more clearly and reasonably allows it to maintain today’s practices which have worked well for both FPL and its customers.

Clarifying “a summary of all available electrical rates” language instead of rate schedules:

The language “a summary of major rate schedules” would result in a substantial expansion of the information that must be provided to customers via bill insert. FPL would like to clarify that a summary of all available rates should be provided to customers, but not all supporting schedules such as the tariffs. FPL is concerned this current practice would result not only in additional cost in the volume of rate schedule information that would have to be printed for customers receiving paper bill inserts but also would cause confusion and frustration for all customers (whether they receive paper or electronic bill inserts) because they would have to wade through a complex summary of numerous rate schedules, including numerous rate schedules with no potential application, in search of ones that might be a good fit for their needs.

Moreover, the revised language could be interpreted to require that actual copies of all available rate schedules, rather than summaries of the rate schedules, be provided via bill insert. Considering that each rate schedule typically consists of multiple tariff sheets, this extreme interpretation could result in a hundred or more pages of rate schedules being provided to

commercial and industrial customers with their bill insert, which would be even more expensive for FPL and confusing for customers.

The amended Florida Statutes Section 366.05(1)(d) states that a utility must notify each customer in that class of the available rates and explain how the rate is charged to the customer. The statute does not prescribe the means and methods for this rate schedule notification. FPL will provide a summary of all available electric rates to our business and residential customers every January and to all new customers through its bill inserts. These bill inserts are provided in paper format for those customers that are not enrolled in the FPL email billing program. For those customers that are enrolled in the FPL email billing program, they receive the bill insert in an electronic format. The summary of all available electric rates will provide the customers with the rate classes available to them. Furthermore, this summary in the bill insert also provides the customers with a direct website address link (www.fpl.com/rates) to obtain information on all the rate schedules. FPL believes that this approach fully complies with the amended statute and does so in a way that's both efficient and convenient for customers.

Because the clarification that all available electrical rates will be provided is consistent with the amendment to Section 366.05(1)(d), and will decrease both costs and confusion, FPL recommends that the Commission add “ a summary of all available electric rates” language in the Rule.

B. Rule 25-6.097 “Customer Deposits”

FPL has no comments for the proposed changes articulated in this rule.

C. Rule 25-6.100 “Customer Billings”

Staff's September 28, 2015 Proposed Changes:

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

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

FPL's Suggested Changes:

4) The advancement or postponement of the regular meter reading date is governed by subsection 366.05(1) (b), F.S.

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

FPL understands the Commission's goal of streamlining the F.A.C. rules by deleting obsolete sections that are similarly referenced in Florida Statutes. While FPL can appreciate this goal, FPL employees routinely refer to this specific section with customers as authority when addressing any issue involving the advancement or postponement of the regular meter reading date. FPL has found during some of its communications with customers that the ease of reference to the rule versus a statute allows for more productive communication with its customers. Now that the proposed rule change language is specifically in the statute, FPL believes that its suggested revision articulated above will provide an adequate reference point to the Florida Statutes when communications take place between FPL and its customers. FPL's suggested revision also ensures that the F.A.C., in the eyes of its customers and the utility, continues to be an all-encompassing reference authority.

Conclusion

FPL appreciates the opportunity to participate in the Commission's efforts to develop and refine the proposed rules presented in this notice.

Respectfully submitted,

/S/ Kevin I.C. Donaldson
Kevin I.C. Donaldson, Esq
Senior Attorney
Florida Power & Light
Company
700 Universe Boulevard
Juno Beach, FL 33408-0420

Pamela H. Page

From: Stiles II, Billy J. <wjstiles@tecoenergy.com>
Sent: Friday, October 23, 2015 3:17 PM
To: Pamela H. Page
Cc: Adams, Lynne (Lynne.Adams@fpl.com); Bobby Pickels; REGDEPT REGDEPT; Beasley, Jim; Don Rome; Elisabeth Draper
Subject: Tampa Electric Company comments on draft rule 25-6.100
Attachments: 25-6.100 (3)_Electric Customer Billing.pdf; Description of Proposed Changes to Rule 25-6.100.pdf

Pamela,

We appreciate the Public Service Commission providing the opportunity to submit written comments on the draft amendments to Rules 25-6.093, 25-6.097, and 25-6.100. Tampa Electric Company has drafted suggested changes to the Rule 25-6.100. The document containing these suggested changes in legislative format is attached. Also attached is an explanation of each of the changes we're suggesting.

Duke Energy Florida and Florida Power & Light Company have reviewed the attached documents and have authorized Tampa Electric to represent their concurrence with the suggested changes.

Please call me if you have any questions.

Thank you, again, for the opportunity to comment on the draft rules.

Billy Stiles

Wilbur J. "Billy" Stiles, II
Manager Regulatory Affairs
Tampa Electric Company
106 E. College Avenue
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25-6.100 Customer Billings.

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

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

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

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

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

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

1. Customer, Base or Basic Service charge.

2. Energy (KWH) charges, exclusive of fuel, in cents per KWH, including amounts for on and off peak if the customer is time of day metered, and energy conservation costs~~applicable cost recovery clause charges.~~

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

4. Fuel (KWH) charges ~~cost~~ in cents per KWH (no fuel costs shall be included in the Energy or Demand base ~~charges for demand or energy~~).

5. Total electric cost which at a minimum is the sum of the customer charge, total fuel cost, total energy cost, and total demand cost charges 1 through 4 above but can include other line item charges (e.g., Asset Securitization Charge pursuant to paragraph 366.95(4)(b), F.S., Florida Gross Receipts Tax, etc.).

6. Franchise fees, if applicable.

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

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8. Any discount or penalty, if applicable.

9. Past due balances shown separately.

10. The gross and net billing, if applicable.

~~12. The rate and amount of the "Asset Securitization Charge," pursuant to paragraph 366.95(4)(b), F.S., if applicable.~~

(d) Identification of the applicable rate schedule.

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

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

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

(h) Any conversion factors which can be used by customers to convert from meter reading units to billing units. Where metering complexity makes this requirement impractical, a statement must be on the bill advising ~~that~~ where and how such information may be obtained ~~by contacting from the utility's local business office.~~

(i) Where budget billing is used, ~~the bill shall contain~~ the current month's actual consumption and charges should be shown separately from budgeted amounts.

(j) If applicable, the information required by subsection 366.8260(4), F.S., and subsection 366.95(4), F.S.

(kj) The name and address of the utility and plus the toll-free number(s) and web address where customers can receive information about their bill as well as locations where the customers can pay their utility bill. Such information must identify those locations where no surcharge is incurred.

(3) When there is sufficient cause, estimated bills may be submitted provided that with the third consecutive estimated bill the company shall contact the customer explaining the reason for the estimated billing and who to contact in order to obtain an actual meter reading. An actual meter reading must be taken at least once every six months. If an estimated bill appears

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to be abnormal when a subsequent reading is obtained, the bill for the entire period shall be computed at a rate which contemplates the use of service during the entire period and the estimated bill shall be deducted. If there is reasonable evidence that such use occurred during only one billing period, the bill shall be computed.

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

(4) The advancement or postponement of the regular meter reading date is governed by subsection 366.05(1)(b), F.S.

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

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

~~(67)~~ Franchise Fees.

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

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

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

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

Rulemaking Authority 366.05(1), 366.04(2) FS. Law Implemented 366.03, 366.04(2),
CODING: Words underlined are additions; words in ~~struck-through~~ type are deletions from existing law.

366.041(1), 366.05(1), 366.051, 366.06(1), 366.8260(4), 366.95(4) FS. History—New 2-25-76,
Amended 4-13-80, 12-29-81, 6-28-82, 5-16-83, 2-4-13, _____.

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions
from existing law.

Tampa Electric proposed changes to Rule 25-6.100 FAC:

1. 25-6.100(2)(c)1: Change “Customer charge.” to “Customer, Base or Basic Service charge.” Over several rate proceedings at least two electric utilities have changed the “Customer” charge to be “Basic Service” (Tampa Electric) or “Base” (Gulf Power) charges. This rule change would simply clarify within the rule what is being utilized in practice.
2. 25-6.100(2)(c)2: make the word “charge” plural, remove the words “including amounts for on and off peak if the customer is time of day metered” and replace the words “energy conservation costs” at the end of the sentence with “applicable cost recovery clause charges”. While some tariffs require a single Energy charge, some (like time-of use or tiered residential) have multiple energy charges shown on the bill, hence it makes sense to make this item plural. Removing the words regarding on and off peak energy is covered by the making of the word “charge” plural. Since the time this rule was last established additional cost recovery clauses (e.g. environmental, capacity) have been established and to the extent recovery of those clause charges are made on an energy (per kWh) basis and are being included into the Energy charge then this language change better describes what is being utilized in practice. In addition, not all conservation clause charges are currently being billed on an energy basis and when they are billed on a demand basis (per kW) they are being included into the Demand charge. The proposed language replacement leaves room for the rule to reflect the differences between utilities that have converted some conservation charges for some tariffs to a demand billing basis.
3. 25-6.100(2)(c)3: make the word “charge” plural, remove the words “including amounts for on and off peak if the customer is time of day metered” and adding the words “and

applicable cost recovery clause charges” at the end of the sentence. While some tariffs require a single Demand charge, some (like time-of use or standby) have multiple demand charges shown on the bill, hence it makes sense to make this item plural. Removing the words regarding on and off peak is covered by the making of the word “charge” plural. In the same manner as described in the proposed rule language change above, some utilities have developed cost recovery clause charges that are billed on a demand basis and are thus included in the Demand charge. The proposed language replacement leaves room for the rule to reflect the differences between utilities that have converted some cost recovery clause charges for some tariffs to a demand billing basis.

4. 25-6.100(2)(c)4: replace the word “cost” to “(KWH) charges” and the words “base charge for demand or energy” to Energy or Demand charges”. The first change clarifies that there is a Fuel “charge” not “cost” and puts it into the same formatted for explanation as the Energy and Demand charges above in sections 2 and 3. Making charge plural covers the circumstances (e.g., like time of use or standby) that have multiple fuel charges shown on the bill. The second change better refers to the Energy and Demand charges above and eliminates the word “base” which is nowhere defined in the rule and is not needed for this purpose.
5. 25-6.100(2)(c)5: add the words “at a minimum” after “which” and before “is”, replace the words “the customer charge, total fuel cost, total energy cost and total demand cost” with “charges 1 through 4 above” and add “but can include other line item charges (e.g., Asset Securitization Charge pursuant to paragraph 366.95(4)(b), F.S., Florida Gross Receipts Tax, etc.).. Simplifies the description of what is included in Total electric cost referring to the items listed in the rule in items 1 through 4 above rather than restating

them (wrong in some cases). The adding of the words “at a minimum” and the remaining words after “above” provide the flexibility for the utilities to include other line items (such as the previous number 12 below) that can be defined to be electric cost related into the Total electric cost as they may exist now or may be developed and implemented in the future.

6. 25-6.100(2)(c)12: Strike this item, it is subsumed into the change to item 5 above.
7. 25-6.100(2)(h): replace the words “advising that such information may be obtained by contacting the utility’s local business office” to “advising where and how such information may be obtained from the utility”. The existing language remains from the days when most of all business with the utility was conducted at a local business office, whereas today most business is conducted over the phone or over the web. This section, which addresses conversion factors, as revised would permit the utility to communicate where and how the customer can secure the information through the multiple media alternatives available today and which may become available in the future.
8. 25-6.100(2)(i): adds the word “actual” between “month’s” and “consumption” and the words “should be shown” between “charges” and “separately”. This makes clear that the actual monthly consumption and associated charges are shown on the bill separately from the budget billing consumption and charges amounts.
9. 25-6.100(2)(k): adds the words “and web address” to the information to be provided on the bill by the utility to direct customers to secure information about their bill. The utilities have all included such web address information on their bills but this just clarifies that this information should be included by rule.

10. New 25-6.100(4): replace the proposed stricken section 4 with a new section 4 that cites the advancement or postponement requirement to the new statute that addresses it. This is an important question that may arise with billing employees at the utility and they utilize the Florida Administrative Code to deal with billing questions that arise rather than the Florida Statutes. By adding a citation here they will be reminded that this issue is addressed in the statute now and not the rule.

Pamela H. Page

From: Stiles II, Billy J. <wjstiles@tecoenergy.com>
Sent: Friday, October 23, 2015 4:24 PM
To: Pamela H. Page
Cc: REGDEPT REGDEPT; Adams, Lynne (Lynne.Adams@fpl.com); Bobby Pickels; Elisabeth Draper; Don Rome
Subject: FW: Tampa Electric Company comments on draft rule 25-6.100
Attachments: 25-6 100 (4) Electric Customer Billing.pdf

Pamela,

After sending the message below, it was brought to my attention that I had included an incorrect version of our suggested changes to rule 25-6.100. Attached is the correct version of Tampa Electric's suggested changes in legislative format reflecting a change to paragraph 2.(b)2. The rest of the document is the same as the document previously submitted.

Duke Energy Florida and Florida Power & Light have reviewed this version of the suggested changes and are in concurrence with it.

I apologize for the inconvenience.

Thank you,

Billy

From: Stiles II, Billy J.
Sent: Friday, October 23, 2015 3:17 PM
To: Pamela Page
Cc: Adams, Lynne (Lynne.Adams@fpl.com); Bobby Pickels; REGDEPT REGDEPT; 'Beasley, Jim'; Don Rome (drome@psc.state.fl.us); Elisabeth Draper
Subject: Tampa Electric Company comments on draft rule 25-6.100

Pamela,

We appreciate the Public Service Commission providing the opportunity to submit written comments on the draft amendments to Rules 25-6.093, 25-6.097, and 25-6.100. Tampa Electric Company has drafted suggested changes to the Rule 25-6.100. The document containing these suggested changes in legislative format is attached. Also attached is an explanation of each of the changes we're suggesting.

Duke Energy Florida and Florida Power & Light Company have reviewed the attached documents and have authorized Tampa Electric to represent their concurrence with the suggested changes.

Please call me if you have any questions.

Thank you, again, for the opportunity to comment on the draft rules.

Billy Stiles

Wilbur J. "Billy" Stiles, II

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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 for any demand charges included in the utility's rate structure.

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

13 1. Customer, Base or Basic Service charge.

14 2. Energy (KWH) charges, 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~~applicable cost
16 recovery clause charges.

17 3. Demand (KW) charges, exclusive of fuel, in dollar cost per KW, if applicable; ~~including~~
18 ~~amounts for on and off peak if the customer is time-of-day metered~~and applicable cost
19 recovery clause charges.

20 4. Fuel (KWH) charges ~~cost~~ in cents per KWH (no fuel costs shall be included in the Energy
21 or Demand base charges for demand or energy).

22 5. Total electric cost which at a minimum is the sum of the customer charge, total fuel cost,
23 ~~total energy cost, and total demand cost~~charges 1 through 4 above but can include other line

24 item charges (e.g., Asset Securitization Charge pursuant to paragraph 366.95(4)(b), F.S.,

25 Florida Gross Receipts Tax, etc.).

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

- 1 | 6. Franchise fees, if applicable.
- 2 | 7. Taxes, as applicable on purchases of electricity by the customer.
- 3 | 8. Any discount or penalty, if applicable.
- 4 | 9. Past due balances shown separately.
- 5 | 10. The gross and net billing, if applicable.
- 6 | ~~12. The rate and amount of the "Asset Securitization Charge," pursuant to paragraph~~
- 7 | ~~366.95(4)(b), F.S., if applicable.~~
- 8 | (d) Identification of the applicable rate schedule.
- 9 | (e) The date by which payment must be made in order to benefit from any discount or avoid
- 10 | any penalty, if applicable.
- 11 | (f) The average daily KWH consumption for the current period and for the same period in the
- 12 | previous year, for the same customer at the same location.
- 13 | (g) The delinquent date or the date after which the bill becomes past due.
- 14 | (h) Any conversion factors which can be used by customers to convert from meter reading
- 15 | units to billing units. Where metering complexity makes this requirement impractical, a
- 16 | statement must be on the bill advising ~~that~~ where and how such information may be obtained
- 17 | by contacting from the utility's local business office.
- 18 | (i) Where budget billing is used, ~~the bill shall contain~~ the current month's actual consumption
- 19 | and charges should be shown separately from budgeted amounts.
- 20 | (j) If applicable, the information required by subsection 366.8260(4), F.S., and subsection
- 21 | 366.95(4), F.S.
- 22 | ~~(k)~~ The name and address of the utility and plus the toll-free number(s) and web address
- 23 | where customers can receive information about their bill as well as locations where the
- 24 | customers can pay their utility bill. Such information must identify those locations where no
- 25 | surcharge is incurred.

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1 (3) When there is sufficient cause, estimated bills may be submitted provided that with the
2 third consecutive estimated bill the company shall contact the customer explaining the reason
3 for the estimated billing and who to contact in order to obtain an actual meter reading. An
4 actual meter reading must be taken at least once every six months. If an estimated bill appears
5 to be abnormal when a subsequent reading is obtained, the bill for the entire period shall be
6 computed at a rate which contemplates the use of service during the entire period and the
7 estimated bill shall be deducted. If there is reasonable evidence that such use occurred during
8 only one billing period, the bill shall be computed.

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

11 (4) The advancement or postponement of the regular meter reading date is governed by
12 subsection 366.05(1)(b), F.S.

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

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

20 ~~(67)~~ Franchise Fees.

21 (a) When a municipality charges a utility any franchise fee, the utility may collect that fee only
22 from its customers receiving service within that municipality. When a county charges a utility
23 any franchise fee, the utility may collect that fee only from its customers receiving service
24 within that county.

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

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

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

6 *Rulemaking Authority 366.05(1), 366.04(2) FS. Law Implemented 366.03, 366.04(2),*
7 *366.041(1), 366.05(1), 366.051, 366.06(1), 366.8260(4), 366.95(4) FS. History—New 2-25-76,*
8 *Amended 4-13-80, 12-29-81, 6-28-82, 5-16-83, 2-4-13, _____.*

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