

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: December 7, 2015

TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Pamela H. Page, Senior Attorney, Office of the General Counsel *PHP*

RE: Docket No. 15-0241 - Comments from OPC and Peoples Gas to be filed in the Docket File

Please file the attached comments from the Office of Public Counsel and Peoples Gas in the docket file for Docket No. 15-0241. Please call me at x36214 should you have any questions. Thank you.

Attachments

PHP

RECEIVED-FPSC
2015 DEC - 7 PM 2:42
COMMISSION
CLERK

Don Rome

From: Pamela H. Page
Sent: Friday, November 06, 2015 9:02 AM
To: Elisabeth Draper; Don Rome
Subject: FW: Customer Billing, Deposit, and Information Rules
Attachments: 09.25%20draft%2025-6.097cjr edits.docx; 09.25%20draft%2025-6.100 cjt edits.docx; 09.25%20draft%2025-7.083 cjr edit.docx; 09.25%20draft%2025-7.085 cjr edits.docx

Good Morning Elisabeth and Don, For your reference. Thanks, Pam.

From: Kelly, JR [<mailto:KELLY.JR@leg.state.fl.us>]
Sent: Friday, November 06, 2015 8:55 AM
To: Pamela H. Page
Subject: Customer Billing, Deposit, and Information Rules

Pamela – OPC has very minor edits/comments for your consideration. Please see attached and let me know if you have any questions. Thank you again for the extension of time to review these and offer our input. Hope you have a good weekend.

JR

J.R. Kelly
Office of Public Counsel
111 West Madison Street
Room 812
Tallahassee, FL 32399-1400
850-488-9330
850-487-6419 Fax

1 **25-6.097 Customer Deposits.**

2 (1) ~~Deposit required; establishment of credit.~~ Each company's ~~utility'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 utility's
11 rules for payment of bills. Credit will be deemed so established if:

Comment [CR1]: The rule speaks to the relationship of the utility with the individual customer so the reference here should be singular.

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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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)~~ (j) 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 utility~~ shall contact the customer explaining the
- 23 reason for the estimated billing and who to contact in order to obtain an actual meter reading.
- 24 An actual meter reading must be taken at least once every six months. If an estimated bill
- 25 appears to be abnormal when a subsequent reading is obtained, the bill for the entire period

Comment [CR1]: Is there such a thing?
Should it say "... contacting the utility"?

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1 shall be computed at a rate which contemplates the use of service during the entire period and
2 the estimated bill shall be deducted. If there is reasonable evidence that such use occurred
3 during 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 ~~(5)~~ 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 | **25-7.083 Customer Deposits**

2 | ~~(1) Deposit required; establishment of credit.~~ Each company's utility'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 utility's
11 | rules 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.

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

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

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

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

18 (a) Made more than one late payment of a bill (after the expiration of 20 days from the date of
19 mailing or delivery by the utility);

20 (b) Paid with check refused by a bank;

21 (c) Been disconnected for nonpayment, or at any time;

22 (d) Tampered with the gas meter; or

23 (e) Used service in a fraudulent or unauthorized manner. ~~Nothing in this rule shall prohibit the~~
24 ~~company from refunding at any time a deposit with any accrued interest.~~

25 (87) Refund of deposit when service is disconnected. Upon termination of service, the deposit

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1 and accrued interest may be credited against the final account and the balance, if any, shall be
2 returned promptly to the customer but in no event later than fifteen (15) days after service is
3 discontinued.

4 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.05(1) FS.*

5 *History--New 1-8-75, Amended 6-15-76, 6-10-80, 1-31-84, Formerly 25-7.83, Amended 10-13-*
6 *88, 4-25-94, 3-14-99, 7-26-12, _____.*

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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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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.

Comment [CR1]: Do all the gas utilities have local offices?

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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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~~ utility 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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from existing law.

Don Rome

From: Stiles II, Billy J. <wjstiles@tecoenergy.com>
Sent: Friday, October 23, 2015 3:15 PM
To: Pamela H. Page
Cc: REGDEPT REGDEPT; Don Rome; Elisabeth Draper; Beasley, Jim; Floyd, Kandi M.
Subject: Peoples Gas System's comments on draft rules 25-7.079, 25-7.083, and 25-7.085
Attachments: 25-7.085 (2)_Gas Customer Billing.pdf; Description of Proposed Changes to Rule 25-7.085.pdf

Pamela,

We appreciate the Public Service Commission providing the opportunity to submit written comments on the draft amendments to Rules 25-7.079, 25-7.083, and 25-7.085. Peoples Gas System has drafted suggested changes to Rule 25-7.085. The document containing these suggested changes in legislative format is attached. Also attached is an explanation of each of the changes we're suggesting.

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
Suite 630
Tallahassee, FL 32301
Office: 850-681-6785
Mobile: 850-294-6589
FAX: 850-681-9808
Email: wjstiles@tecoenergy.com



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Peoples Gas proposed changes to Rule 25-7.085 FAC:

1. 25-6.085(1)(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. It is anticipated that this trend will continue and gas utilities may adopt the same naming approach.
2. 25-6.085(1)(c)2: make the word “charge” plural. There may in the future be times when multiple Energy charges occur on one bill and this change will permit such circumstances.
3. 25-6.085(1)(c)3: replace the word “cost” to “(therm) 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 charges above in section 2.
4. 25-6.085(1)(j): replaces the word “and” with “toll-free” before the word “telephone”, makes the word number plural and replaces the words “of the local office” with the words “and web address”. The utilities have all included such web address information on their bills but this just clarifies that this information should be included by rule.
5. New 25-6.085(5): replace the proposed stricken section 5 with a new section 5 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.

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 be
6 shown. If the gas consumption is estimated, the word "estimated" shall prominently appear on the
7 bill.

8 (b) Therms and cubic feet consumed.

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

10 1. ~~Customer charge.~~ Base or Basic Service charge.

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

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

14 4. Total gas cost which at a minimum is the sum of ~~the customer charge, total fuel cost, and total~~
15 ~~energy cost~~ charges 1 through 3 above but can include other line item charges (e.g., Florida Gross
16 Receipts Tax).

17 5. Franchise fees, if applicable.

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

19 7. Any discount or penalty, if applicable.

20 8. Past due balances.

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

22 (d) Identification of the applicable rate schedule.

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

25 (f) The average daily therm consumption for the current period and for the same period in the

- 1 previous year, for the same customer at the same location.
- 2 (g) The delinquent date or the date after which the bill becomes past due.
- 3 (h) Any conversion factors which can be used by customers to convert from meter reading units to
4 billing units.
- 5 (i) Where budget billing is used, the bill shall contain the current month's consumption and
6 charges separately from budgeted amounts.
- 7 (j) The name of the utility plus the address, ~~and toll-free telephone number(s) of the local~~
8 ~~office~~ and web address where the bill can be paid and questions concerning the bill can be
9 answered.
- 10 (2) All gas utilities shall charge for gas service on a thermal basis instead of on a volume basis.
11 The provisions governing customer billing on a thermal basis shall be as follows:
- 12 (a) The unit of service shall be the "Therm."
- 13 (b) The number of therms which shall have been taken by consumer during a given period shall be
14 determined by multiplying the difference in the meter readings in cubic feet at the beginning and
15 end of the period by the conversion factors in paragraph (1)(h) including a heating-value factor
16 which has been determined as prescribed in paragraph (c) below.
- 17 (c) The heating-value factor for gas utilities receiving and distributing natural gas shall be the
18 average thermal value of the natural gas received and distributed during the preceding month. In
19 case the average heating value during the calendar month has been below the standard, then the
20 value to be used in determining the factor shall be the heating value standard minus a deduction of
21 one percent (1%) for each one percent (1%) or fraction thereof that the average heating value has
22 been below the standard.
- 23 (d) The consumer shall be billed to the nearest one-tenth of a therm.
- 24 (3) Whenever the period of service for which an initial or opening bill would be rendered is less
25 than the normal billing period, no bill for that period need be rendered if the volume amount

1 consumed is carried over and included in the next regular monthly billing. If, however, a bill for
2 such period is rendered, the applicable charges, including minimum charges, shall be prorated.

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

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

13 (5) The advancement or postponement of regular meter reading date is governed by subsection
14 366.05(1)(b), F.S.

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

17 (7) Franchise Fees.

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

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

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

1 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.05(1), 366.06(1) FS. History—New 12-*
2 *15-73, Repromulgated 1-8-75, Amended 5-4-75, 11-21-82, 12-26-82, Formerly 25-7.85, Amended*
3 *10-10-95, 7-3-96.*

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