

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-**

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**DATE:** February 18, 2016

**TO:** Office of Commission Clerk (Stauffer)

**FROM:** Office of the General Counsel (Page) *FHP*  
Division of Economics (Higgins, McNulty, Ollila, Rome, Wu) *WBM* *PPR* *JW* *S.M.L.*  
*S.O.*

**RE:** Docket No. 150200-PU – Proposed amendments to Rule 25-6.0436, F.A.C., Depreciation, Rule 25-6.04364, F.A.C., Electric Utilities Dismantlement Studies, Rule 25-7.045, F.A.C., Depreciation, and Rule 25-7.046, F.A.C., Subcategories of Gas Plant for Depreciation.

**AGENDA:** 03/01/16 – Regular Agenda –Rule Proposal - Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Brisé

**RULE STATUS:** Proposal May Be Deferred

**SPECIAL INSTRUCTIONS:** None

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### Case Background

Rules 25-6.0436, Depreciation, and 25-6.04364, Electric Utilities Dismantlement Studies, Florida Administrative Code (F.A.C.), set forth accounting principles for the calculation of depreciation by electric utilities. Rules 25-7.045, F.A.C., Depreciation, and 25-7.046, F.A.C., Subcategories of Gas Plant for Depreciation, establish the accounting principles for the calculation of depreciation by gas utilities. The rules implement Section 366.06(1), Florida Statutes, (F.S.), which states that the Commission shall have authority to investigate and determine the actual legitimate costs of the property of each utility less depreciation.

The Commission's Notice of Development of Rulemaking was published in the Florida Administrative Register (F.A.R.), on April 30, 2015, in Volume 41, Number 84. On May 22,

Docket No. 150200-PU  
Date: February 18, 2016

2015, May 29, 2015, and July 7, 2015, respectively, comments were received from Tampa Electric Company (TECO), Peoples Gas, Florida Public Utilities Company, and Florida Power & Light Company (FPL). No rulemaking workshop was requested and no workshop was held.

This recommendation addresses whether the Commission should propose the amendment of electric and gas utility depreciation Rules 25-6.0436, 25-6.04364, 25-7.045, and 25-7.046, F.A.C. The Commission has jurisdiction pursuant to Sections 120.54 and 366.06(1), F.S.

## Discussion of Issues

**Issue 1:** Should the Commission propose the amendment of Rules 25-6.0436, 25-6.04364, 25-7.045, and 25-7.046, F.A.C.?

**Recommendation:** Yes. The Commission should propose the amendment of Rules 25-6.0436, 25-6.04364, 25-7.045, and 25-7.046, F.A.C., as set forth in Attachment A. (Page, Ollila, Higgins, McNulty, Rome, Wu)

### Staff Analysis:

This rulemaking was initiated to update, clarify, and streamline Commission depreciation rules for investor-owned electric utilities and gas utilities, and to provide more consistency between the electric depreciation and gas depreciation rules. Staff is recommending that the Commission propose the amendment of the rules, as set forth in Attachment A. Below is a more detailed explanation of the rule amendments staff is recommending.

### Electric Utilities

#### **Rule 25-6.0436, F.A.C., Depreciation**

Rule 25-6.0436, F.A.C., provides definitions of depreciation terms and describes the requirements for categories of depreciable plant, depreciation rate, and accounts and subaccounts. Subsection 25-6.0436(1), F.A.C., defines the terms used in calculating the remaining life and whole life depreciation rates for electric utilities. Staff recommends the amendment of subsection 25-6.0436(1), F.A.C., to clarify these terms.

Staff also recommends amendments to subsection 25-6.0436(4)(a), F.A.C., which requires each electric utility to file a depreciation study for Commission review at least once every four years from the submission date of the previous study. TECO, Peoples Gas, and FPL suggested that “unless otherwise required by the Commission,” be added to make clear that the Commission has the authority to require a depreciation study at a time set by the Commission. Staff agrees and recommends that “or pursuant to Commission order and within the time specified in the order” be added to subsection 25-6.0436(4)(a), F.A.C.

Subsection 25-6.0436(4)(a), F.A.C., states that electric utilities shall submit six copies of the information required for a depreciation study and at least three copies of the numerical data required when filing a depreciation study. Staff recommends amendments removing the requirement to file numerous copies of the information required in a depreciation study. Staff recommends that subsection 25-6.0436(4)(a), F.A.C., be amended to specify that depreciation studies shall be filed in electronic format. The electronic filing requirement is consistent with the Commission’s requirement for electronic filings. Staff also recommends amendments stating that annual depreciation status reports shall be provided in electronic format for subsection 25-6.0436(9), F.A.C. The electronic filing requirement updates subsection 25-6.0436(9), F.A.C., and reflects the current Commission practice to require electronic filings.

Staff recommends amendments to 25-6.0436(5)(a), F.A.C., specifying that components of a depreciation study shall include average service life, age, curve shape, net salvage, and average remaining life. Staff recommends amendments to subsection 25-6.0436(5)(b), F.A.C., stating

that a depreciation study shall also include a comparison of current and annual depreciation rates and expenses.

Subsection 25-6.0436(3)(a), F.A.C., references subsection 25-6.014(1), F.A.C., but does not directly refer to the Uniform System of Accounts (USOA). Staff recommends a specific reference to the USOA in the subsection stating that the USOA is incorporated by reference in subsection 25-6.014(1), F.A.C.

***Rule 25-6.04364, F.A.C., Electric Utilities Dismantlement Studies***

Rule 25-6.04364, F.A.C., states that each utility owning a fossil fuel generating unit is required to establish a dismantlement accrual as approved by the Commission to accumulate a reserve that is sufficient to meet all expenses at the time of dismantlement. Staff recommends the deletion of the phrase “fossil fuel” so that Rule 25-6.04364(1), F.A.C., may encompass other forms of electric generation such as certain renewable generating facilities. Language was also added to the rule to indicate that Rule 25-6.04364, F.A.C., is not applicable to nuclear generating plants which are addressed in Rule 25-6.04365, F.A.C.

Subsection 25-6.04364(3), F.A.C., states that each electric utility shall file a dismantlement study for each generating site once every four years from the submission date of the previous study. Staff recommends that “or pursuant to Commission order and within the time specified in the order,” be added to the rule. This amendment makes clear that the Commission has the authority to require a depreciation study at a time set by the Commission. This amendment also makes the language in section 25-6.04364(3), F.A.C., similar to that recommended for Rule 25-6.0436(4)(a), F.A.C.

**Gas Utilities**

***Rule 25-7.045, Depreciation***

Section 25-7.045(1), F.A.C., does not contain a definition of the term, “Net Book Value,” and staff recommends defining this term in subsection 25-7.045(1)(d), F.A.C. Rule 25-7.045(1), F.A.C., does not contain a definition of “Reserve,” and staff recommends the inclusion of this definition in subsection 25-7.045(1)(f), F.A.C.

Subsection 25-7.045(4)(a), F.A.C., states that each gas utility shall file a depreciation study for Commission review at least once every five years from the submission date of the previous study. Staff recommends that subsection 25-7.045(4)(a), F.A.C., be amended to state “or pursuant to Commission order and within the time specified in the order,” acknowledging the Commission’s authority to require such a depreciation study at any time set by the Commission.

Subsection 25-7.045(4)(a), F.A.C., states that electric utilities shall submit six copies of the information required for a depreciation study and at least three copies of the numerical data required when filing a depreciation study. Staff recommends amendments removing the requirement to file numerous copies of the information required in a depreciation study. Staff recommends that subsection 25-7.045(4)(a), F.A.C., be amended to specify that depreciation studies shall be filed in electronic format. The electronic filing requirement is consistent with the Commission’s requirement for electronic filings.

Staff recommends amendments to subsection 25-7.045(9), F.A.C., stating that annual depreciation status reports shall be provided in electronic format. This electronic filing requirement updates Rule 25-7.045, F.A.C., and reflects the current Commission practice to require electronic filings.

Staff recommends amendments to Rule 25-7.045, F.A.C., which would add subsection 25-7.045(2)(c), F.A.C., setting forth the appropriate parameters for the calculation of depreciation reserve when plant investments are booked as a transfer. Staff recommends adding these parameters in subsection 25-7.045(2)(c), F.A.C., to clarify the required elements for the comparison.

Staff recommends amendments to subsections 25-7.045(5)(a) and (b), F.A.C., to clarify requirements for a comparison of current and proposed annual depreciation rates and the criteria for such a comparison. These amendments will also make Rule 25-7.045(5)(a), F.A.C., consistent with subsections 25-6.0436(5)(a) and (c), F.A.C.

Subsection 25-7.045(3)(a), F.A.C., references subsection 25-7.014, F.A.C., but does not directly refer to the USOA. Staff recommends a specific reference to the USOA in the subsection stating that the USOA is incorporated by reference in subsection 25-7.014(1), F.A.C.

#### ***Rule 25-7.046, Subcategories of Gas Plant for Depreciation***

Rule 25-7.046, F.A.C., states that depreciation accounts for gas utilities, as listed in the rule, follow the primary plant accounts established by the USOA prescribed by the Federal Energy Regulatory Commission in the Code of Federal Regulations, revised April 1, 1981. Staff recommends an amendment to Rule 25-7.046, F.A.C., to reflect that the USOA for Natural Gas Companies as found in the Code of Federal Regulations is incorporated by reference in Rule 25-7.014, F.A.C., Records and Reports in General.

Staff recommends that “shall” be substituted for “should” making all sub-accounts prescribed by the rule mandatory when calculating depreciation. Staff also recommends that paragraph 25-7.046(4)(c), F.A.C., be amended to remove discretionary language and state that where any existing accounts are compatible with those listed in subsection (3) for depreciation purposes, those existing accounts shall be deemed to be in compliance with Rule 25-7.046, F.A.C.

#### **Statement of Estimated Regulatory Costs**

Pursuant to Section 120.54, F.S., agencies are encouraged to prepare a statement of estimated regulatory costs (SERC) before the adoption, amendment, or repeal of any rule. The SERC is appended as Attachment B to this recommendation. The SERC analysis also includes whether the rule amendment is likely to have an adverse impact on growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within five years after implementation.

The SERC concludes that the rule amendments will not likely directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in Florida within one year after implementation. Further, the SERC concludes that the rule amendments will not likely have an adverse impact on economic growth, private-sector job creation or employment, private sector investment, business competitiveness, productivity, or innovation in excess of \$1 million in the

aggregate within five years of implementation. Thus, the rule amendments do not require legislative ratification pursuant to Section 120.541(3), F.S. In addition, the SERC states that the rule amendments will not have an adverse impact on small business and will have no impact on small cities or small counties. No regulatory alternatives were submitted pursuant to paragraph 120.541(1)(a), F.S. None of the impact/cost criteria established in paragraph 120.541(2)(a), F.S., will be exceeded as a result of the recommended revisions.

**Conclusion**

Based on the foregoing, staff recommends the amendment of Rules 25-6.0436, 25-6.04364, 25-7.045, and 25-7.046, F.A.C.

**Issue 2:** Should this docket be closed?

**Recommendation:** Yes. If no requests for hearing or comments are filed, the rules may be filed with the Department of State, and this docket should be closed. (Page)

**Staff Analysis:** If no requests for hearing or comments are filed, the rules may be filed with the Department of State, and this docket should be closed.

1       **25-6.0436 Depreciation.**

2       (1) For the purposes of this rule part, the following definitions shall apply:

3       (a) Category or Category of Depreciable Plant – A grouping of plant for which a  
4 depreciation rate is prescribed. At a minimum it shall ~~should~~ include each plant account  
5 prescribed in subsection 25-6.014(1), F.A.C.

6       (b) Embedded Vintage – A vintage of plant in service as of the date of study or  
7 implementation of proposed rates.

8       (c) Mortality Data – Historical data by study category showing plant balances, additions,  
9 adjustments and retirements, used in analyses for life indications or calculations of realized  
10 life. ~~Preferably, T~~ this is aged data in accord with the following:

11       1. The number of plant items or equivalent units (usually expressed in dollars) added each  
12 calendar year.

13       2. The number of plant items retired (usually expressed in dollars) each year and the  
14 distribution by years of placing of such retirements.

15       3. The net increase or decrease resulting from purchases, sales or adjustments and the  
16 distribution by years of placing of such amounts.

17       4. The number that remains in service (usually expressed in dollars) at the end of each year  
18 and the distribution by years of placing of such amounts.

19       (d) Net Book Value – The book cost of an asset or group of assets minus the accumulated  
20 depreciation or amortization reserve associated with those assets.

21       (e) Remaining Life Technique Method ~~Method~~ – The method of calculating a depreciation rate  
22 based on the unrecovered plant balance, the ~~less~~ average future net salvage<sub>2</sub> and the average  
23 remaining life. The formula ~~for calculating a Remaining Life Rate~~ is:

24  
25

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1 the ~~w~~Whole ~~L~~Life (~~a~~Average ~~s~~Service ~~L~~Life) and the ~~a~~Average ~~n~~Net ~~s~~Salvage. Both life and  
2 salvage components are the estimated or calculated composite of realized experience and  
3 expected activity. The formula is:

$$\begin{aligned} & 100\% - \text{Average Net Salvage \%} \\ \text{Whole Life Rate} = & \frac{\quad}{\text{Average Service Life in Years}} \end{aligned}$$

4  
5  
6  
7  
8 (2)(a) No utility shall change any existing depreciation rate or initiate any new  
9 depreciation rate without prior Commission approval.

10 (b) No utility shall reallocate accumulated depreciation reserves among any primary  
11 accounts and sub-accounts without prior Commission approval.

12 (c) When plant investment is booked as a transfer from a regulated utility depreciable  
13 account to another or from a regulated company to an affiliate, its associated ~~an appropriate~~  
14 reserve amount shall also be booked as a transfer. When plant investment is sold from one  
15 regulated utility to an affiliate, the ~~an appropriate~~ associated reserve amount shall also be  
16 determined to calculate the net book value of the utility investment being sold. ~~Appropriate~~  
17 Methods for determining the ~~appropriate~~ reserve amount associated with plant transferred or  
18 sold are as follows:

19 1. Where vintage reserves are not maintained, synthetization using the currently prescribed  
20 curve shape shall ~~may~~ be required. The same reserve percent associated with the original  
21 placement vintage of the related investment shall then be used in determining the ~~appropriate~~  
22 amount of reserve to transfer.

23 2. Where the original placement vintage of the investment being transferred is unknown,  
24 the reserve percent applicable to the account in which the investment being transferred resides  
25 may be assumed ~~as appropriate~~ for determining the reserve amount to transfer.

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1       3. Where the age of the investment being transferred is known and a history of the  
2 prescribed depreciation rates is known, a reserve can be determined by multiplying the age  
3 times the investment times the applicable depreciation rate(s).

4       4. The Commission shall consider any additional methods submitted by the utilities for  
5 determining the ~~appropriate~~ reserve amounts to transfer.

6       (3)(a) Each utility shall maintain depreciation rates and accumulated depreciation reserves  
7 in accounts or subaccounts in accordance with the Uniform System of Accounts for Public  
8 Utilities and Licensees as found in the Code of Federal Regulations, Title 18, Subchapter C,  
9 Part 101, for Major Utilities as revised April 1, 2013, which is incorporated by reference in  
10 Rule 25-6.014, F.A.C. as prescribed by subsection 25-6.014(1), F.A.C. Utilities may maintain  
11 further sub-categorization.

12       (b) Upon establishing a new account or subaccount classification, each utility shall request  
13 Commission approval of a depreciation rate for the new plant category.

14       (4)(a) Each company shall file a depreciation study for each category of depreciable  
15 property for Commission review at least once every four years from the submission date of the  
16 previous study or pursuant to Commission order and within the time specified in the order. A  
17 utility filing a depreciation study, regardless if a change in rates is being requested or not, shall  
18 submit to the Office of Commission Clerk ~~six copies of~~ the information required by  
19 paragraphs ~~(5)(6)~~(a) through ~~(g)(f)~~ of this rule in electronic format with formulas intact and  
20 unlocked and at least three copies of the information required by paragraph ~~(6)(g)~~.

21       **(b) A utility proposing an effective date of the beginning of its fiscal year shall submit its**  
22 **depreciation study no later than the mid-point of that fiscal year.**

23       **(c) A utility proposing an effective date coinciding with the expected date of a revenue**  
24 **change initiated through a rate case proceeding shall submit its depreciation study no later**  
25 **than the filing date of its Minimum Filing Requirements.**

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1        (d) The plant balances may include estimates. Submitted data including plant and reserve  
2 balances or company planning involving estimates shall be brought to the effective date of the  
3 proposed rates.

4        (e) The possibility of corrective reserve transfers shall be investigated by the Commission  
5 prior to changing depreciation rates.

6        (f)(5) Upon Commission approval by final order establishing an effective date, the utility  
7 shall reflect on its books and records the implementation of the depreciation proposed rates  
8 approved by the Commission subject to adjustment when final depreciation rates are  
9 approved.

10        (5)(6) A depreciation study shall include:

11        (a) A comparison of current and proposed depreciation ~~rates and~~ components for each  
12 category of depreciable plant. Components include average service life, age, curve shape, net  
13 salvage, and average remaining life. Current rates shall be identified as to the effective date  
14 and proposed rates as to the proposed effective date.

15        (b) A comparison of current and proposed annual depreciation rates and expenses as of the  
16 proposed effective date, resulting from current rates with those produced by the proposed rates  
17 for each category of depreciable plant. The comparison of current and proposed rates shall  
18 identify the proposed effective date for the proposed rates. The comparison of current and  
19 proposed annual expenses shall be calculated using current and proposed rates for each  
20 category of depreciable plant. Plant balances, reserve balances and percentages, remaining  
21 lives, and net salvage percentages shall be included in this comparison for each category of  
22 plant. The plant balances may involve estimates. Submitted data including plant and reserve  
23 balances or company planning involving estimates shall be brought to the effective date of the  
24 proposed rates.

25        (c) Each recovery and amortization schedule currently in effect shall ~~should~~ be included  
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1 with any new filing showing total amount amortized, effective date, length of schedule, annual  
2 amount amortized and reason for the schedule.

3 (d) A comparison of the accumulated book reserve to the prospective theoretical reserve  
4 based on proposed rates and components for each category of depreciable plant to which  
5 depreciation rates are to be applied.

6 (e) A general narrative describing the service environment of the applicant company and  
7 the factors, e.g., growth, technology, physical conditions, necessitating a revision in rates.

8 (f) An explanation and justification for each study category of depreciable plant defining  
9 the specific factors that justify the life and salvage components and rates being proposed. Each  
10 explanation and justification shall include substantiating factors utilized by the utility in the  
11 design of depreciation rates for the specific category, e.g., company planning, growth,  
12 technology, physical conditions, trends. The explanation and justification shall discuss any  
13 proposed transfers of reserve between categories or accounts intended to correct deficient or  
14 surplus reserve balances. It shall ~~should~~ also state any statistical or mathematical methods of  
15 analysis or calculation used in design of the category rate.

16 (g) ~~The filing shall contain~~ All calculations, analysis and numerical basic data used in the  
17 design of the depreciation rate for each category of depreciable plant. Numerical data shall  
18 include plant activity (gross additions, adjustments, retirements, and plant balance at end of  
19 year) as well as reserve activity (retirements, accruals for depreciation expense, salvage, cost  
20 of removal, adjustments, transfers and reclassifications and reserve balance at end of year) for  
21 each year of activity from the date of the last submitted study to the date of the present study.  
22 When available, To the degree possible, retirement data involving retirements shall ~~should~~ be  
23 aged.

24 (h) The mortality and salvage data used by the company in the depreciation rate design  
25 must agree with activity booked by the utility. Unusual transactions not included in life or  
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1 salvage studies, e.g., sales or extraordinary retirements, must be specifically enumerated and  
2 explained.

3 ~~(i)(7)(a) Utilities shall provide~~ Calculations of depreciation rates using both the whole life  
4 ~~technique method~~ and the remaining life ~~technique method~~. The use of these techniques  
5 ~~methods~~ is required for all depreciable categories. Utilities may submit additional studies or  
6 methods for consideration by the Commission.

7 ~~(b) The possibility of corrective reserve transfers shall be investigated by the Commission~~  
8 ~~prior to changing depreciation rates.~~

9 ~~(8)(a) Each company shall file a study for each category of depreciable property for~~  
10 ~~Commission review at least once every four years from the submission date of the previous~~  
11 ~~study unless otherwise required by the Commission.~~

12 ~~(b) A utility proposing an effective date of the beginning of its fiscal year shall submit its~~  
13 ~~depreciation study no later than the mid point of that fiscal year.~~

14 ~~(c) A utility proposing an effective date coinciding with the expected date of additional~~  
15 ~~revenues initiated through a rate case proceeding shall submit its depreciation study no later~~  
16 ~~than the filing date of its Minimum Filing Requirements.~~

17 ~~(6)(9)~~ As part of the filing of the annual report pursuant to Rule 25-6.135, F.A.C., each  
18 utility shall include an annual depreciation status report. The annual depreciation status reports  
19 shall be provided in electronic format. In the electronic format, the formulas must be intact  
20 and unlocked. The annual depreciation status report shall include booked plant activity (plant  
21 balance at the beginning of the year, additions, adjustments, transfers, reclassifications,  
22 retirements and plant balance at year end) and reserve activity (reserve balance at the  
23 beginning of the year, retirements, accruals, salvage, cost of removal, adjustments, transfers,  
24 reclassifications and reserve balance at year end) for each category of investment for which a  
25 depreciation rate, amortization, or capital recovery schedule has been approved. The report  
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1 shall indicate for each category ~~that:~~ whether there has been a change of plans or utility  
2 experience since the filing of the last annual depreciation status report requiring a revision of  
3 rates, amortization or capital recovery schedules. For any category where current conditions  
4 indicate a need for revision of depreciation rates, amortization, or capital recovery schedules  
5 and no revision is sought, the report shall explain why no revision is requested.

6 ~~(a) There has been no change of plans or utility experience requiring a revision of rates,~~  
7 ~~amortization or capital recovery schedules; or~~

8 ~~(b) There has been a change requiring a revision of rates, amortization or capital recovery~~  
9 ~~schedules.~~

10 ~~(7)(10) For any category where current conditions indicate a need for revision of~~  
11 ~~depreciation rates, amortization or capital recovery schedules and no revision is sought, the~~  
12 ~~report shall explain why no revision is requested.~~

13 (a) Prior to the date of retirement of major installations, the Commission shall approve  
14 capital recovery schedules to correct associated calculated deficiencies where a utility  
15 demonstrates that (1) replacement of an installation or group of installations is prudent and (2)  
16 the associated investment will not be recovered by the time of retirement through the normal  
17 depreciation process.

18 (b) The Commission shall approve a special capital recovery schedule when an installation  
19 is designed for a specific purpose or for a limited duration.

20 (c) Associated plant and reserve activity, balances and the annual capital recovery  
21 schedule expense must be maintained as subsidiary records.

22 *Rulemaking Authority 350.115, 350.127(2), 366.05(1), FS. Law Implemented 350.115,*  
23 *366.04(2)(f), 366.06(1) FS. History—New 11-11-82, Amended 1-6-85, Formerly 25-6.436,*  
24 *Amended 4-27-88, 12-12-91, 12-11-00, 5-29-08, \_\_\_\_\_.*

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1       **25-6.04364 Electric Utilities Dismantlement Studies.**

2       (1) Each utility that owns a ~~fossil fuel~~ generating unit is required to establish a  
3 dismantlement accrual as approved by the Commission to accumulate a reserve ~~that is~~  
4 ~~sufficient~~ to meet all expenses at the time of dismantlement. The purpose of the study required  
5 by subsection (3) is to obtain ~~sufficient~~ information to update cost estimates based on new  
6 developments, additional information, technological improvements, and forecasts; to evaluate  
7 alternative methodologies; and to revise the annual accrual needed to recover the costs. This  
8 rule does not apply to nuclear generating plants, which are addressed in Rule 25-6.04365,

9       F.A.C.

10       (2) For the purpose of this rule, the following definitions shall apply:

11       (a) “Contingency Costs.” A specific provision for unforeseeable elements of cost within  
12 the defined project scope.

13       (b) “Dismantlement.” The process of safely managing, removing, demolishing, disposing,  
14 or converting for reuse the materials and equipment that remain at the ~~fossil fuel~~ generating  
15 unit following its retirement from service and restoring the site to a marketable or useable  
16 condition.

17       (c) “Dismantlement Costs.” The costs for the ultimate physical removal and disposal of  
18 plant and site restoration, minus any attendant gross salvage amount, upon final retirement of  
19 the site or unit from service.

20       (3) Each utility shall file a dismantlement study for each generating site once every 4 years  
21 from the submission date of the previous study or pursuant to ~~unless otherwise required by~~  
22 Commission order; and within the time specified in the order. The study shall be site-specific  
23 unless a showing is made by the utility that a site-specific study is not possible. A utility may  
24 file a study sooner than 4 years. Each utility’s dismantlement study shall include:

25       (a) A narrative describing each ~~fossil fuel~~ generating unit, including the in-service date and  
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1 | estimated retirement date.

2 | (b) A list of all entities owning an interest in each generating unit and the percentage of  
3 | ownership by each entity.

4 | (c) The dismantlement study methodology.

5 | (d) A summary of the major assumptions used in the study.

6 | (e) The methodology selected to dismantle each generating unit and support for the  
7 | selection.

8 | (f) The methodology and escalation rates used in converting the current estimated  
9 | dismantlement costs to future estimated dismantlement costs and supporting documentation  
10 | and analyses.

11 | (g) The total utility and jurisdictional dismantlement cost estimates in current dollars for  
12 | each unit.

13 | (h) The total utility and jurisdictional dismantlement cost estimates in future dollars for  
14 | each unit.

15 | (i) For each year, the estimated amount of dismantlement expenditures.

16 | (j) The projected date each generating unit will cease operations.

17 | (k) For each site, a comparison of the current approved annual dismantlement accruals  
18 | with those proposed. Current accruals shall be identified as to the effective date and proposed  
19 | accruals to the proposed effective date.

20 | (l) A summary and explanation of material differences between the current study and the  
21 | utility's last filed study including changes in methodology and assumptions.

22 | (m) Supporting schedules, analyses, and data, including the contingency allowance, used  
23 | in developing the dismantlement cost estimates and annual accruals proposed by the utility.  
24 | Supporting schedules shall include the inflation analysis.

25 | (4) The dismantlement annual accrual shall be calculated using the current cost estimates  
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1 | escalated to the expected dates of actual dismantlement. The future costs less amounts  
2 | recovered to date shall then be discounted in a manner that accrues the costs over the  
3 | remaining life span of the unit.

4 | (5) Dismantlement accruals shall be recorded monthly to assure that the costs for  
5 | dismantlement have been provided for at the time the production unit or site ceases operations.

6 | (6) A utility shall not establish a new annual dismantlement accrual, revise its annual  
7 | dismantlement accrual, or transfer a dismantlement reserve without prior Commission  
8 | approval.

9 | (7) The annual dismantlement accrual shall be a fixed dollar amount and shall be based on  
10 | a 4-year average of the accruals related to the years between the dismantlement study reviews.

11 | (8) The accumulated dismantlement reserve and accruals shall be maintained in a  
12 | subaccount of Account 108 "Accumulated Depreciation" and separate from the accumulated  
13 | depreciation reserve and expenses. Subsidiary records shall include sufficient detail to allow  
14 | for separate site or unit reporting.

15 | *Rulemaking Authority 350.115, 350.127(2), 366.05(1) FS. Law Implemented 366.041,*  
16 | *366.05(1), 366.06(1) FS. History—New 12-30-03, Amended \_\_\_\_\_.*

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1        (f) Reserve (Accumulated Depreciation) – The amount of depreciation/amortization  
2 expense, salvage, cost of removal, adjustments, transfers, and reclassifications accumulated to  
3 date.

4        ~~(g)(e)~~ Reserve Data – Historical data by study category showing reserve balances, debits  
5 and credits, such as booked depreciation expense, salvage and cost of removal, and  
6 adjustments to the reserve utilized in monitoring reserve activity and position.

7        ~~(h)(f)~~ Reserve Deficiency – An inadequacy in the reserve of a category as evidenced by a  
8 comparison of that reserve indicated as necessary under current projections of life and salvage  
9 with that reserve historically accrued. The latter figure may be available from the utility's  
10 records or may require retrospective calculation.

11        ~~(i)(g)~~ Reserve Surplus – An excess in the reserve of a category as evidenced by a  
12 comparison of that reserve indicated as necessary under current projections of life and salvage  
13 with that reserve historically accrued. The latter figure may be available from the utility's  
14 records or may require retrospective calculation.

15        ~~(j)(h)~~ Salvage Data – Historical data by study category showing bookings of retirements,  
16 gross salvage and cost of removal used in analysis of trends in gross salvage and cost of  
17 removal or for calculations of realized salvage.

18        ~~(k)(i)~~ Theoretical Reserve or Prospective Theoretical Reserve – A calculated reserve based  
19 on components of the proposed rate using the formula:

20        
$$\text{Theoretical Reserve} = \text{Book Investment} - \text{Future Accruals} - \text{Future Net Salvage.}$$

21        ~~(l)(j)~~ Vintage – The year of placement of a group of plant items or investment under study.

22        ~~(m)(k)~~ Whole Life Technique Method – The method of calculating a depreciation rate  
23 based on the wWhole Life (aAverage sService Life) and the aAverage net sSalvage. Both  
24 life and salvage components are the estimated or calculated composite of realized experience  
25 and expected activity. The formula is:

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$$\text{Whole Life Rate} = \frac{100\% - \text{Average Net Salvage \%}}{\text{Average Service Life in Years}}$$

(2)(a) No utility shall ~~may~~ change any existing depreciation rate or initiate any new depreciation rate without prior Commission approval.

(b) No utility shall ~~may~~ reallocate accumulated depreciation reserves among any primary accounts and sub-accounts without prior Commission approval.

(c) When plant investment is booked as a transfer from a regulated utility depreciable account to another or from a regulated company to an affiliate, its associated reserve amount shall also be booked as a transfer. When plant investment is sold from one regulated utility to an affiliate, the associated reserve amount shall also be determined to calculate the net book value of the utility investment being sold. Methods for determining the reserve amount associated with plant transferred or sold are as follows:

1. Where vintage reserves are not maintained, synthesization using the currently prescribed curve shape shall be required. The same reserve percent associated with the original placement vintage of the related investment shall then be used in determining the amount of reserve to transfer.

2. Where the original placement vintage of the investment being transferred is unknown, the reserve percent applicable to the account in which the investment being transferred resides shall be assumed for determining the reserve amount to transfer.

3. Where the age of the investment being transferred is known and a history of the prescribed depreciation rates is known, a reserve can be determined by multiplying the age times the investment times the applicable depreciation rate(s).

4. The Commission shall consider any additional methods submitted by the utilities for determining reserve amounts to transfer.

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1       (3)(a) Each utility shall maintain depreciation rates and accumulated depreciation reserves  
2 in accounts or subaccounts in accordance with the Uniform System of Accounts for Natural  
3 Gas Companies (USOA) as found in the Code of Federal Regulations, Title 18, Subchapter F,  
4 Part 201, as revised April 1, 2013, which is incorporated by reference in Rule 25-7.014(1),  
5 F.A.C. as prescribed by Rule 25-7.046, F.A.C. Utilities may maintain further sub-  
6 categorization.

7       (b) Upon establishing a new account or subaccount classification, each utility shall request  
8 Commission approval of a depreciation rate for the new plant category.

9       (4)(a) Each company shall file a study for each category of depreciable property for  
10 Commission review at least once every five years from the submission date of the previous  
11 study or pursuant to Commission order and within the time specified in the order.

12 A utility filing a depreciation study, regardless if a change in rates is being requested or not,  
13 shall submit to the Office of Commission Clerk ~~six copies~~ of the information required by  
14 paragraphs (5)(6)(a) through (g) (f) and (h) of this rule in electronic format with formulas  
15 intact and unlocked and at least three copies of the information required by paragraph (6)(g).

16       (b) A utility proposing an effective date of the beginning of its fiscal year shall submit its  
17 depreciation study no later than the mid-point of that fiscal year.

18       (c) A utility proposing an effective date coinciding with the expected date of additional  
19 revenues initiated through a rate case proceeding shall submit its depreciation study no later  
20 than the filing date of its Minimum Filing Requirements.

21       (d) The plant balances may include estimates. Submitted data including plant and reserve  
22 balances or company planning involving estimates shall be brought to the effective date of the  
23 proposed rates.

24       (e) The possibility of corrective reserve transfers shall be investigated by the Commission  
25 prior to changing depreciation rates.

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1        ~~(f)(5)~~ Upon Commission approval by final order establishing an effective date, the utility  
2 shall ~~may~~ reflect on its books and records the implementation of the depreciation proposed  
3 rates, approved by the Commission ~~subject to adjustment when final depreciation rates are~~  
4 approved.

5        ~~(5)(6)~~ A depreciation study shall include:

6        (a) A comparison of current and proposed depreciation ~~rates and~~ components for each  
7 category of depreciable plant. Components include average service life, age, curve shape, net  
8 salvage, and average remaining life. ~~Current rates shall be identified as to the effective date~~  
9 ~~and proposed rates as to the proposed effective date.~~

10        (b) A comparison of current and proposed annual depreciation rates and expenses ~~resulting~~  
11 ~~from current rates with those produced by the proposed rates for each category of depreciable~~  
12 ~~plant.~~ The comparison of current and proposed rates shall identify the proposed effective date  
13 for the proposed rates. The comparison of current and proposed annual expenses shall be  
14 calculated using current and proposed rates for each category of depreciable plant. Plant  
15 balances, reserve balances and percentages, remaining lives, and net salvage percentages shall  
16 be included in this comparison for each category of plant. ~~The plant balances may involve~~  
17 ~~estimates. Submitted data including plant and reserve balances or company planning involving~~  
18 ~~estimates should be brought to the effective date of the proposed rates.~~

19        (c) Each recovery and amortization schedule currently in effect ~~shall~~ should be included  
20 with any new filing showing total amount amortized, effective date, length of schedule, annual  
21 amount amortized and reason for the schedule.

22        (d) A comparison of the accumulated book reserve to the prospective theoretical reserve  
23 based on proposed rates and components for each category of depreciable plant to which  
24 depreciation rates are to be applied.

25        (e) A general narrative describing the service environment of the applicant company and  
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existing law.

1 the factors, e.g., growth, technology, physical conditions, leading to the present application for  
2 a revision in rates.

3 (f) An explanation and justification for each study category of depreciable plant defining  
4 the specific factors that justify the life and salvage components and rates being proposed. Each  
5 explanation and justification shall include substantiating factors utilized by the utility in the  
6 design of the depreciation rates for the specific category, e.g., company planning, growth,  
7 technology, physical conditions, trends. The explanation and justification shall discuss any  
8 proposed transfers of reserve between categories or accounts intended to correct deficient or  
9 surplus reserve balances. It shall ~~should~~ also state any statistical or mathematical methods of  
10 analysis or calculation used in design of the category rate.

11 (g) ~~The filing shall contain~~ All calculations, analysis and numerical basic data used in the  
12 design of the depreciation rate for each category of depreciable plant. Numerical data shall  
13 include plant activity (gross additions, adjustments, retirements, and plant balance at end of  
14 year) as well as reserve activity (retirements, accruals for depreciation expense, salvage, cost  
15 of removal, adjustments, transfers and reclassifications and reserve balance at end of year) for  
16 each year of activity from the date of the last submitted study to the date of the present study.  
17 When available, To the degree possible, retirement data involving retirements shall ~~should~~ be  
18 aged.

19 (h) The mortality and salvage data used by the company in the depreciation rate design  
20 must agree with activity booked by the utility. Unusual transactions not included in life or  
21 salvage studies, e.g., sales or extraordinary retirements, must be specifically enumerated and  
22 explained.

23 ~~(i)(7)(a) Utilities shall provide~~ Ccalculations of depreciation rates using both the whole life  
24 technique and the remaining life technique ~~method~~. The use of these techniques ~~methods~~ is  
25 required for all depreciable categories. Utilities may submit additional studies or methods for  
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existing law.

1 consideration by the Commission.

2 ~~(b) The possibility of corrective reserve transfers shall be investigated by the Commission~~  
3 ~~prior to changing depreciation rates.~~

4 ~~(8)(a) Each company shall file a study for each category of depreciable property for~~  
5 ~~Commission review at least once every five years from the submission date of the previous~~  
6 ~~study unless otherwise required by the Commission.~~

7 ~~(b) A utility proposing an effective date of the beginning of its fiscal year shall submit its~~  
8 ~~depreciation study no later than the mid-point of that fiscal year.~~

9 ~~(c) A utility proposing an effective date coinciding with the expected date of additional~~  
10 ~~revenues initiated through a rate case proceeding shall submit its depreciation study no later~~  
11 ~~than the filing date of its Minimum Filing Requirements.~~

12 ~~(6)(9)~~ As part of the filing of the annual report under subsection 25-7.014(3), F.A.C., each  
13 utility shall include an annual depreciation status report. The annual depreciation status report  
14 shall be provided in electronic format. In the electronic format, the formulas must be intact  
15 and unlocked. The annual depreciation status report shall include booked plant activity (plant  
16 balance at the beginning of the year, additions, adjustments, transfers, reclassifications,  
17 retirements and plant balance at year end) and reserve activity (reserve balance at the  
18 beginning of the year, retirements, accruals, salvage, cost of removal, adjustments, transfers,  
19 reclassifications and reserve balance at end of year) for each category of investment for which  
20 a depreciation rate, amortization schedule, or capital recovery schedule has been approved.

21 The report shall indicate for each category ~~that:~~ whether there has been a change of plans or  
22 utility experience since the filing of the last annual depreciation status report requiring a  
23 revision of the rates, amortization, or capital recovery schedules. For any category where  
24 current conditions indicate a need for revision of depreciation rates, amortization, or capital  
25 recovery schedules and no revision is sought, the report shall explain why no revision is

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1 requested.

2 ~~(a) There has been no change of plans or utility experience requiring a revision of the~~  
3 ~~rates, amortization, or capital recovery schedules; or~~

4 ~~(b) There has been a change requiring a revision of rates, amortization, or capital recovery~~  
5 ~~schedules. For any category where current conditions indicate a need for revision of~~  
6 ~~depreciation rates, amortization, or capital recovery schedules and no revision is sought, the~~  
7 ~~report shall explain why no revision is requested.~~

8 ~~(7)(10)~~(a) Prior to the date of retirement of major installations, the Commission may  
9 approve capital recovery schedules to correct associated calculated deficiencies where a utility  
10 demonstrates that (1) replacement of an installation or group of installations is prudent, and (2)  
11 the associated investment will not be recovered by the time of retirement through the normal  
12 depreciation process.

13 (b) The Commission shall ~~may~~ approve a special capital recovery schedule when an  
14 installation is designed for a specific purpose or for a limited duration.

15 (c) Associated plant and reserve activity, balances and the annual capital recovery  
16 schedule expense must be maintained as subsidiary records.

17 *Rulemaking Authority 350.127(2), 350.115, 366.05(1) FS. Law Implemented 350.115,*  
18 *366.04(2(f)), 366.06, 366.06(1) FS. History—New 11-11-82, Amended 1-6-85, Formerly 25-*  
19 *7.45, Amended 4-27-88, 12-12-91, 5-29-08, \_\_\_\_\_.*

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1       **25-7.046 Subcategories of Gas Plant for Depreciation.**

2       (1) The accounts under subsection (3) below are to be used in the design of depreciation  
3 rates. They are intended to group together items which are relatively homogeneous in their  
4 expected life and salvage characteristics. Reserve, mortality data, salvage and costs of removal  
5 ~~shall should~~ be maintained accordingly for each depreciation category for which a  
6 depreciation rate is to be applied. This ~~shall should~~ be done on the books of the company, or  
7 as a side record for depreciation study use only.

8       (2)(a) No company shall establish a new sub-account that would represent less than 10%  
9 of the original primary account unless it meets the following criteria:

- 10       1. Introduction of a new technology.  
11       2. The present inclusion of an obsolescent/dying technology in a viable technology.

12       (b) Any company may further develop sub-accounts within the listed primary account as  
13 appropriate for its plant.

14       (3) The depreciation accounts listed below shall be in accordance with the Uniform  
15 System of Accounts for Natural Gas Companies (USOA) as found in the Code of Federal  
16 Regulations, Title 18, Subchapter F, Part 201, as revised April 1, 2013, which is incorporated  
17 by reference in Rule 25-7.014(1), F.A.C. New depreciation subaccounts shall be established  
18 under these accounts as listed in subsection 25-7.014(1), F.A.C. ~~The accounts listed below~~  
19 directly follow the primary plant accounts prescribed in the Uniform System of Accounts  
20 prescribed by the Federal Energy Regulatory Commission in the Code of Federal Regulations,  
21 Title 18, Subchapter F, Part 201, as revised, April 1, 1981, introducing sub-divisions within  
22 those accounts for the purpose of uniformity among the companies in depreciation studies.

23       ~~(a)~~ Local Storage Plant.

24       ~~1.A.~~ Structures and Improvements – (Account 361)

25       ~~2.B.~~ Gas Holders – (Account 362)

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1     ~~3.C.~~ Other – (Account 363) – Equipment such as compressors, gauges and other  
2 instruments used in connection with the storage of gas in holders.

3     ~~(b)H.~~ Distribution Plant.

4     ~~1.A.~~ Structures and Improvements – (Account 375)

5     ~~2.B.~~ Mains – (Account 376) – The following sub-accounts shall ~~should~~ be used:

6         ~~a.1.~~ Plastic

7         ~~b.2.~~ Other – cast iron, steel, etc.

8     ~~3.C.~~ Compressor Station Equipment – (Account 377)

9     ~~4.D.~~ Measuring and Regulating Equipment – General – (Account 378) – Equipment used  
10 in measuring and regulating gas in connection with distribution systems other than the  
11 measurements of gas deliveries to customers.

12     ~~5.E.~~ Measuring and Regulating Equipment – City Gate – (Account 379) – Equipment used  
13 in measuring of gas at entry points to distribution systems.

14     ~~6.F.~~ Services – (Account 380) – The following sub-accounts shall ~~should~~ be used:

15         ~~a.1.~~ Plastic

16         ~~b.2.~~ Other – cast iron, steel, etc.

17     ~~7.G.~~ Meters – (Account 381)

18     ~~8.H.~~ Meter Installations – (Account 382)

19     ~~9.I.~~ Regulators – (Account 383)

20     ~~10.J.~~ Regulator Installations – (Account 384)

21     ~~11.K.~~ Industrial Measuring and Regulating Equipment – (Account 385)

22     ~~12.L.~~ Other Property on Customer’s Premises – (Account 386) – Investment of equipment  
23 owned by the company installed on the customer’s premises that is not includible in other  
24 accounts.

25     ~~13.M.~~ Other Equipment – (Account 387) – Investment in equipment used for the

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1 distribution system not included in any of the above accounts such as fire protection  
2 equipment, leak detectors, pipe locators, ~~etc.~~

3 ~~(c)III.~~ General Plant.

4 ~~1.A.~~ Structures and Improvements – (Account 390)

5 ~~2.B.~~ Office Furniture and Equipment – (Account 391) – The following sub-accounts shall  
6 ~~should~~ be used:

7 ~~a.1.~~ Office Furniture – Regular office furniture and furnishings and miscellaneous  
8 equipment such as lounge equipment.

9 ~~b.2.~~ Office devices such as typewriters, calculating, reproducing, addressing, blueprinting,  
10 cash registers, check writers and other office machines.

11 ~~c.3.~~ Computers and peripheral equipment

12 ~~3.C.~~ Transportation Equipment – (Account 392) – The following sub-accounts shall ~~should~~  
13 be used:

14 ~~a.1.~~ Passenger cars and light trucks (trucks of one ton capacity or less)

15 ~~b.2.~~ Heavy trucks (trucks of greater than one ton capacity)

16 ~~c.3.~~ Special purpose vehicles such as trailers

17 ~~d.4.~~ Airplanes

18 ~~4.D.~~ Stores Equipment – (Account 393)

19 ~~5.E.~~ Tools, Shop and Garage Equipment – (Account 394)

20 ~~6.F.~~ Laboratory Equipment – (Account 395)

21 ~~7.G.~~ Power Operated Equipment – (Account 396)

22 ~~8.H.~~ Communication Equipment – (Account 397)

23 ~~9.I.~~ Miscellaneous Equipment – (Account 398) – Investment in miscellaneous equipment  
24 such as kitchen equipment, infirmary equipment, ~~etc.~~

25 (4) The accounts under subsection (3) shall be implemented as of the beginning of the next

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1 fiscal year following the adoption of this rule. As of that point in time:

2 (a) Reserve activity data, mortality activity data, salvage and costs of removal are to be  
3 recorded to these accounts for subsequent activity.

4 (b) The separation of embedded investments and reserves under prior accounts into  
5 balances relating to accounts under subsection (3) may require estimation. For accounts where  
6 vintage data is to be maintained, development of the vintaged distributions of those  
7 investments may require synthesization. Vintaged distribution of the reserves is not required.

8 (c) Where any existing accounts are, ~~in the opinion of the Commission, essentially~~  
9 compatible with those listed in subsection (3) for depreciation study purposes, those existing  
10 accounts shall be deemed to be in compliance with this rule.

11 *Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.05(1), 366.06(1) FS.*

12 *History—New 11-7-85. Formerly 25-7.46. Amended, \_\_\_\_\_.*

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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-**

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**DATE:** September 3, 2015  
**TO:** Pamela H. Page, Senior Attorney, Office of the General Counsel  
**FROM:** Clyde D. Rome, Public Utility Analyst II, Division of Economics *CDR*  
**RE:** Statement of Estimated Regulatory Costs (SERC) for Recommended Revisions to Chapter 25-6 (Electric Service by Electric Public Utilities), and Chapter 25-7 (Gas Service by Gas Public Utilities), Florida Administrative Code (F.A.C.)

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The purpose of this rulemaking initiative is to update, clarify, and streamline depreciation-related Commission rules for investor-owned electric and gas utilities. Specifically, staff is recommending the amendment of Rules 25-6.0436 (Depreciation), 25-6.04364 (Electric Utilities Dismantlement Studies), 25-7.045 (Depreciation), and 25-7.046 (Subcategories of Gas Plant for Depreciation), F.A.C. As noted in the attached SERC, five investor-owned electric utilities and eight investor-owned gas utilities would be affected by the recommended revisions.

The recommended amendments to Rules 25-6.0436 and 25-7.045, F.A.C., would clarify language and requirements, codify existing practices, and would reorganize and reorder portions of the rules in order to improve overall clarity. The changes to Rule 25-6.04364, F.A.C., reflect a changing energy generation environment and would augment the current requirements for electric utilities to provide dismantlement studies for all fossil-fuel generating units; henceforth, utilities would be required to provide dismantlement studies for all generating units that are not subject to such requirements pursuant to Rule 25-6.04365 (Nuclear Decommissioning), F.A.C. Recommended amendments to Rules 25-7.046, 25-7.045, and 25-6.0436, F.A.C., would update the effective date of the plant accounts prescribed in the federal Uniform System of Accounts.

The attached SERC addresses the considerations required pursuant to Section 120.541, Florida Statutes (F.S.). No workshop was requested in conjunction with the recommended rule revisions. No regulatory alternatives were submitted pursuant to paragraph 120.541(1)(a), F.S. None of the impact/cost criteria established in paragraph 120.541(2)(a), F.S., will be exceeded as a result of the recommended revisions.

cc: (Ollila, Draper, McNulty, Daniel, Shafer, Cibula, SERC file)

FLORIDA PUBLIC SERVICE COMMISSION  
STATEMENT OF ESTIMATED REGULATORY COSTS  
Rules 25-6.0436, 25-6.04364, 25-7.045, 25-7.046, F.A.C.

1. Will the proposed rule have an adverse impact on small business?  
[120.541(1)(b), F.S.] (See Section E., below, for definition of small business.)

Yes  No

If the answer to Question 1 is "yes", see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes  No

If the answer to either question above is "yes", a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

(1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule?  
[120.541(2)(a)1, F.S.]

Economic growth	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Private-sector job creation or employment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Private-sector investment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

(2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule?  
[120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Productivity	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Innovation	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes  No

Economic Analysis: A summary of the recommended rule revisions is included in the attached memorandum to Counsel. Specific elements of the associated economic analysis are identified below in Sections B through F of this SERC. None of the impact/cost criteria established in paragraph 120.541(2)(a), F.S., will be exceeded as a result of the recommended rule revisions.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

Five electric utilities and eight gas utilities.

(2) A general description of the types of individuals likely to be affected by the rule.

The affected entities are investor-owned electric and gas utilities operating in Florida.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the Commission to implement and enforce the rule.

- None. To be done with the current workload and existing staff.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

- None. The rule will only affect the Commission.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

- None
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used, procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring or reporting, and any other costs necessary to comply with the rule. [120.541(2)(d), F.S.]

- None. The rule will only affect the Commission.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

Rules 25-6.0436 and 25-7.045, F.A.C., include definitions of depreciation terms and specify the requirements for depreciation rate changes, depreciation studies, annual reports, and capital recovery schedules. The recommended amendments to these rules should benefit affected entities by codifying current practices and by making the rules more specific regarding depreciation matters, including the compilation and filing of studies. Staff anticipates that the rule clarifications would likely result in fewer data requests or discovery questions; therefore, depreciation study costs potentially could be reduced. Affected entities also potentially may benefit from the removal of the requirement for paper copy filings.

Recommended revisions to Rule 25-6.04364, F.A.C., would require electric utilities to provide dismantlement studies for all generating units that are not subject to such requirements pursuant to Rule 25-6.04365, F.A.C. Staff issued a data request to the investor-owned electric utilities to ascertain whether the new language would change the manner in which the utilities filed dismantlement studies with the Commission, thereby resulting in potential additional transactional costs. All utilities indicated that the recommended revisions would not cause a change in their practices of filing dismantlement studies with the Commission; therefore, no additional transactional costs are anticipated.

No additional costs are anticipated as a result of updating the Uniform System of Accounts references in Rules 25-7.046, 25-7.045, and 25-6.0436, F.A.C.

E. An analysis of the impact on small businesses, and small counties and small cities:  
[120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

- No adverse impact on small business.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- No impact on small cities or small counties
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

F. Any additional information that the Commission determines may be useful.  
[120.541(2)(f), F.S.]

- None.

Additional Information:

G. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(g), F.S.]

No regulatory alternatives were submitted.

A regulatory alternative was received from

Adopted in its entirety.

Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.