

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: June 26, 2018
TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk
FROM: Samantha Cibula , Office of the General Counsel *S.M.L.*
RE: Docket No.20140205-WS

Please file the attached documents in the docket file listed above.

Thank you.

Attachment

RECEIVED-FPSC
2018 JUN 26 AM 10:28
COMMISSION
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STATE OF FLORIDA

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GENERAL COUNSEL
S. CURTIS KISER
(850) 413-6199

Public Service Commission

October 8, 2014

Ms. Jamie L. Jackson
Senior Attorney
Joint Administrative Procedures Committee
Room 680, Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1400

Re: Public Service Commission Rulemaking: Chapter 2014-68, Laws of Florida

Dear Ms. Jackson:

I am writing in response to your letter dated September 22, 2014, in which you ask that I advise whether rules to implement Chapter 2014-68, Laws of Florida, will be drafted and proposed by December 28, 2014, in accordance with section 120.54(1)(b), Florida Statutes. Section 120.54(1)(b) states, "Whenever an act of the Legislature is enacted which requires implementation of the act by rules of an agency within the executive branch of state government, such rules shall be drafted and formally proposed as provided in this section within 180 days after the effective date of the act, unless the act provides otherwise." (emphasis added) Although the Florida Public Service Commission is not subject to section 120.54(1)(b) because it is a legislative branch agency, see section 350.001, Florida Statutes, it still strives to meet the statutory deadline.

The Notice of Development of Rules 25-30.091 and 25-30.440, F.A.C., which are the rules that will implement Chapter 2014-68, was published in the September 19, 2014 Florida Administrative Register. A rule development workshop was held on October 7, 2014. I anticipate the rules will be formally proposed in mid-December 2014.

The Commission's Office of General Counsel appreciates your guidance in the rulemaking process. Do not hesitate to contact me if you have any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Samantha M. Cibula".

Samantha M. Cibula
Attorney Supervisor

DON GAETZ
President



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Representative James W. "J.W." Grant, Vice Chair
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WILL W. WEATHERFORD
Speaker



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THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

September 22, 2014

Ms. Samantha Cibula
Attorney Supervisor
Public Service Commission
Office of the General Counsel
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



**RE: Public Service Commission Mandatory Rulemaking:
Chapter 2014-68, Laws of Florida**

Dear Ms. Cibula:

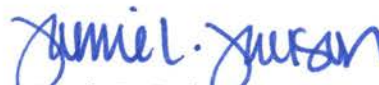
In accordance with its responsibilities under Joint Rule 4.6(5) of the Florida Legislature, the Joint Administrative Procedures Committee is directed to generally review agency action pursuant to the Administrative Procedure Act. Section 120.54(1)(b), Florida Statutes, provides that whenever an act of the Legislature is enacted which requires implementation by rules of an agency, the rules shall be drafted and formally proposed within 180 days after the effective date of the act, unless the act provides otherwise. The following chapter law appears to require rulemaking:

Chapter 2014-68, Laws of Florida

Sections 1 and 2 of Chapter 2014-68, Laws of Florida, which became effective on July 1, 2014, direct the Commission to adopt rules. The 180-day period within which the rules should be formally proposed expires on December 28, 2013. Please review the chapter law and advise whether rules will be drafted and proposed by the end of the 180-day period.

Should you have any questions, please do not hesitate to contact me. Otherwise, I look forward to your written response.

Sincerely,


Jamie L. Jackson
Senior Attorney