

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:** July 3, 2018  
**TO:** Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk  
**FROM:** Samantha Cibula, Office of the General Counsel *SMC*  
**RE:** Docket No. 20100000-OT

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

Thank you.

Attachment

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2018 JUL -3 PM 4:15  
COMMISSION  
CLERK

COMMISSIONERS:  
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STATE OF FLORIDA



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

## Public Service Commission

June 17, 2010

Ms. Liz Cloud  
Bureau of Administrative Code  
R.A. Gray Building  
500 S. Bronough Street  
Tallahassee, FL 32399-0250

**Re: Technical Changes to Rule 25-6.049, F.A.C.**

Dear Ms. Cloud:

Enclosed in type and strike format is a copy of Rule 25-6.049, F.A.C, to which technical changes have been made in order to update the Rulemaking Authority and Law Implemented sections of the rule.

Please do not hesitate to call me at (850) 413-6216 if you have any questions. Thank you for your assistance.

Sincerely,

  
Kathryn G.W. Cowdery  
Senior Attorney

KC/mrd  
Cc (w/ encs.): Brian Moore, JAPC

1 **25-6.049 Measuring Customer Service.**

2 (1) All energy sold to customers shall be measured by commercially acceptable  
3 measuring devices owned and maintained by the utility, except where it is impractical to meter  
4 loads, such as street lighting, temporary or special installations, in which case the consumption  
5 may be calculated, or billed on demand or connected load rate or as provided in the utility's  
6 filed tariff.

7 (2) When there is more than one meter at a location, the metering equipment shall be  
8 so tagged or plainly marked as to indicate the circuit metered. Where similar types of meters  
9 record different quantities, (kilowatt-hours and reactive power, for example), metering  
10 equipment shall be tagged or plainly marked to indicate what the meters are recording.

11 (3) Meters which are not direct reading shall have the multiplier plainly marked on the  
12 meter. All charts taken from recording meters shall be marked with the date of the record, the  
13 meter number, customer, and chart multiplier. The register ratio shall be marked on all meter  
14 registers. The watt-hour constant for the meter itself shall be placed on all watt-hour meters.

15 (4) Metering equipment shall not be set "fast" or "slow" to compensate for supply  
16 transformer or line losses.

17 (5) Individual electric metering by the utility shall be required for each separate  
18 occupancy unit of new commercial establishments, residential buildings, condominiums,  
19 cooperatives, marinas, and trailer, mobile home and recreational vehicle parks. However,  
20 individual metering shall not be required for any such occupancy unit for which a construction  
21 permit was issued before, and which has received master-metered service continuously since  
22 January 1, 1981. In addition, individual electric meters shall not be required:

23 (a) In those portions of a commercial establishment where the floor space dimensions  
24 or physical configuration of the units are subject to alteration, as evidenced by non-structural  
25 element partition walls, unless the utility determines that adequate provisions can be made to

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from existing law.



1 modify the metering to accurately reflect such alterations;

2 (b) For electricity used in central heating, ventilating and air conditioning systems, or  
3 electric back up service to storage heating and cooling systems;

4 (c) For electricity used in specialized-use housing accommodations such as hospitals,  
5 nursing homes, living facilities located on the same premises as, and operated in conjunction  
6 with, a nursing home or other health care facility providing at least the same level and types of  
7 services as a nursing home, convalescent homes, facilities certificated under Chapter 651,  
8 F.S., college dormitories, convents, sorority houses, fraternity houses, and similar facilities;

9 (d) For lodging establishments such as hotels, motels, and similar facilities which are  
10 rented, leased, or otherwise provided to guests by an operator providing overnight occupancy  
11 as defined in paragraph (8)(b);

12 (e) For separate, specially-designated areas for overnight occupancy, as defined in  
13 paragraph (8)(b), at trailer, mobile home and recreational vehicle parks and marinas where  
14 permanent residency is not established;

15 (f) For new and existing time-share plans, provided that all of the occupancy units  
16 which are served by the master meter or meters are committed to a time-share plan as defined  
17 in Chapter 721, F.S., and none of the occupancy units are used for permanent occupancy.

18 (g) For condominiums that meet the following criteria:

- 19 1. The declaration of condominium requires that at least 95 percent of the units are  
20 used solely for overnight occupancy as defined in paragraph (8)(b) of this rule;
- 21 2. A registration desk, lobby and central telephone switchboard are maintained; and
- 22 3. A record is kept for each unit showing each check-in and check-out date for the unit,  
23 and the name(s) of the individual(s) registered to occupy the unit between each check-in and  
24 check-out date.

25 (6) Master-metered condominiums.

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1 (a) Initial Qualifications – In addition to the criteria in paragraph (5)(g), in order to  
2 initially qualify for master-metered service, the owner or developer of the condominium, the  
3 condominium association, or the customer must attest to the utility that the criteria in  
4 paragraph (5)(g) and in this subsection have been met, and that any cost of future conversion  
5 to individual metering will be the responsibility of the customer, consistent with subsection (7)  
6 of this rule. Upon request and reasonable notice by the utility, the utility shall be allowed to  
7 inspect the condominium to collect evidence needed to determine whether the condominium is  
8 in compliance with this rule. If the criteria in paragraph (5)(g) and in this subsection are not  
9 met, then the utility shall not provide master-metered service to the condominium.

10 (b) Ongoing Compliance – The customer shall attest annually, in writing, to the utility  
11 that the condominium meets the criteria for master metering in paragraph (5)(g). The utility  
12 shall establish the date that annual compliance materials are due based on its determination of  
13 the date that the criteria in paragraphs (5)(g) and (6)(a) were initially satisfied, and shall  
14 inform the customer of that date before the first annual notice is due. The customer shall notify  
15 the utility within 10 days if, at any time, the condominium ceases to meet the requirements in  
16 paragraph (5)(g).

17 (c) Upon request and reasonable notice by the utility, the utility shall be allowed to  
18 inspect the condominium to collect evidence needed to determine whether the condominium is  
19 in compliance with this rule.

20 (d) Failure to Comply – If a condominium is master metered under the exemption in this rule  
21 and subsequently fails to meet the criteria contained in paragraph (5)(g), or the customer fails  
22 to make the annual attestation required by paragraph (6)(b), then the utility shall promptly  
23 notify the customer that the condominium is no longer eligible for master-metered service. If  
24 the customer does not respond with clear evidence to the contrary within 30 days of receiving  
25 the notice, the customer shall individually meter the condominium units within six months

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1 following the date on the notice. During this six month period, the utility shall not discontinue  
2 service based on failure to comply with this rule. Thereafter, the provisions of Rule 25-6.105,  
3 F.A.C., apply.

4 (7) When a structure or building is converted from individual metering to master  
5 metering, or from master metering to individual metering, the customer shall be responsible  
6 for the costs incurred by the utility for the conversion. These costs shall include, but not be  
7 limited to, any remaining undepreciated cost of any existing distribution equipment which is  
8 removed or transferred to the ownership of the customer, plus the cost of removal or  
9 relocation of any distribution equipment, less the salvage value of any removed equipment.

10 (8) For purposes of this rule:

11 (a) "Occupancy unit" means that portion of any commercial establishment, single and  
12 multi-unit residential building, or trailer, mobile home or recreational vehicle park, or marina  
13 which is set apart from the rest of such facility by clearly determinable boundaries as  
14 described in the rental, lease, or ownership agreement for such unit.

15 (b) "Overnight Occupancy" means use of an occupancy unit for a short term such as  
16 per day or per week where permanent residency is not established.

17 (9)(a) Where individual metering is not required under subsection (5) and master  
18 metering is used in lieu thereof, reasonable apportionment methods, including sub-metering  
19 may be used by the customer of record or the owner of such facility solely for the purpose of  
20 allocating the cost of the electricity billed by the utility. The term "cost" as used herein means  
21 only those charges specifically authorized by the electric utility's tariff, including but not  
22 limited to the customer, energy, demand, fuel, conservation, capacity and environmental  
23 charges made by the electric utility plus applicable taxes and fees to the customer of record  
24 responsible for the master meter payments. The term does not include late payment charges,  
25 returned check charges, the cost of the customer-owned distribution system behind the master

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1 meter, the customer of record's cost of billing the individual units, and other such costs.

2 (b) Any fees or charges collected by a customer of record for electricity billed to the  
3 customer's account by the utility, whether based on the use of sub-metering or any other  
4 allocation method, shall be determined in a manner which reimburses the customer of record  
5 for no more than the customer's actual cost of electricity.

6 (c) Each utility shall develop a standard policy governing the provisions of sub-  
7 metering as provided for herein. Such policy shall be filed by each utility as part of its tariffs.  
8 The policy shall have uniform application and shall be nondiscriminatory.

9 Rulemaking Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 366.05(1),  
10 366.06(1) ~~366.80~~, 366.81, 366.82 FS. History—Amended 7-29-69, 11-26-80, 12-23-82, 12-28-  
11 83, Formerly 25-6.49, Amended 7-14-87, 10-5-88, 3-23-97, 10-10-06.

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13 Rule 25-6-049.kc.doc  
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