

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 930633-PU

RULE TITLE:

RULE NO.:

Customer Complaints

25-22.032

PURPOSE AND EFFECT: The purpose of the amendment to Rule 25-22.032, F.A.C., is to give the Director of the Division of Consumer Affairs the option of making a recommendation to the Commission that a complaint should be dismissed without an informal conference because no basis for relief exists. The effect of the amendment is a saving of administrative expense spent on frivolous complaints.

SUMMARY: Rule 25-22.032(4), F.A.C., describes the administrative procedure followed by the Commission after a party objects to the Commission's proposed resolution of a given customer complaint. The current rule requires that an informal conference be held each time a party who is objecting to the proposed resolution requests one. The amendment eliminates the mandatory requirement for an informal conference when there is no basis for relief under the Florida Statutes, Commission rules or orders, or the applicable tariffs.

RULEMAKING AUTHORITY: 120.53(1), 350.127(2), F.S.

LAW IMPLEMENTED: 120.53(1), 120.57, 120.59(4), F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE AND PLACE SHOWN BELOW:

DOCUMENT NUMBER-DATE

08689 AUG 11 82

FPSC-RECORDS/REPORTING

TIME AND DATE: 9:30 A.M., October 12, 1993

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-22.032 Customer Complaints

(4) If a party objects to the proposed resolution, he may file a request for an informal conference on the complaint. The request shall be in writing and should be filed with the Division of Consumer Affairs within 30 days after the proposed resolution is mailed or personally communicated to the parties. Upon receipt of the request the Director of the Division [[may]] [shall] appoint a staff member to conduct the informal conference [[or the Director may make a recommendation to the Commission for dismissal based on a finding that the complaint states no basis for relief under the Florida Statutes, Commission rules or orders, or the applicable tariffs. If a conference is granted]] t[T]he appointed staff member shall have had no prior contact with the complaint. After consulting with the parties, the appointed staff member shall issue a written notice to the parties setting forth the procedures to be employed, the dates by which written materials are to be filed, and the time and place for the informal conference, which shall be held in the service area, or such other convenient location to which the parties agree, no sooner than 10 days following the notice.

Specific Authority: 120.53(1), 350.127(2), F.S.

Law Implemented: 120.53(1), 120.57, 120.59(4), F.S.