

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Revisions to) DOCKET NO. 960079-GU
Rule 25-7.1352, F.A.C., Earnings) ORDER NO. PSC-96-0259-NOR-GU
Surveillance Report) ISSUED: February 23, 1996
_____)

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-7.1352, Florida Administrative Code, relating to earnings surveillance report.

The attached Notice of Rulemaking will appear in the March 1, 1996 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at the following time and place:

Florida Public Service Commission
9:30 a.m., March 28, 1996
Betty Easley Conference Center
Room 152, 4075 Esplanade Way
Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0862, no later than March 22, 1996.

By ORDER of the Florida Public Service Commission, this 23rd day of February, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

DOCUMENT NUMBER-DATE

02225 FEB 23 96

FPSC-RECORDS/REPORTING

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 960079-GU

RULE TITLE: Earnings Surveillance Report
RULE NO.: 25-7.1352

PURPOSE AND EFFECT: The purpose and effect on this rule amendment is to reduce an unnecessarily frequent reporting schedule for small gas utilities whose data do not change so frequently as to justify the present requirements.

SUMMARY: For gas utilities with 50,000 or more customers, monthly Earnings Surveillance Reports (ESR) are required. For gas utilities with fewer than 50,000, but more than 5000 customers, quarterly ESRs are required. For gas utilities with 5000 or fewer customers, semi-annual ESRs are required. One written request for a 31-day extension to file made prior to the due date will be granted. Requests for Commission approval of a longer extension must include a statement of good cause and specify the date by which the report will be filed.

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

LAW IMPLEMENTED: 350.117(1), 366.04(2)(f), 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.

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

TIME AND DATE: 9:30 A.M., March 28, 1996

PLACE: Room 152, Betty Easley Conference Center, 4075 Esplanade
Way, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC
IMPACT STATEMENT IS: Director of Appeals, Florida Public Service
Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-7.1352 Earnings Surveillance Report.

(1) Each investor-owned natural gas utility shall file rate
of return data using Commission Form PSC/AFA 13 (-/--), which is
incorporated by reference into this rule. Form PSC/AFA 13,
entitled "Investor-Owned Natural Gas Utility Earnings Surveillance
Report," may be obtained from the Commission's Division of Auditing
and Financial Analysis.

(2) The report shall be filed:

(a) Monthly, by the 15th day of the second month following
the reported month for natural gas utilities companies with 50,000
or more customers ~~annual sales in excess of 50 million therms.~~

(b) Quarterly, by the 15th day of the second month following
the reported quarter for natural gas utilities companies with fewer
than 50,000 customers and more than 5,000 customers ~~annual sales~~
~~less than 50 million therms.~~

(c) Semiannually, by the 15th day of the second month following the reported period for natural gas utilities with 5,000 or fewer customers.

(3) A utility may file a written request for an extension of time with the Division of Auditing and Financial Analysis prior to the due date of the report. One extension of 31 days will be granted upon request. A request for Commission approval of a longer extension must be accompanied by a statement of good cause and shall specify the date by which the report will be filed.
~~Requests for extensions of time in which to file the report must be submitted in writing to the Commission prior to the due date of the report.~~

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

Law Implemented: 350.117(1), 366.04(2)(f), F.S.

History: New 11/18/82, formerly 25-7.24, Amended 4/23/92, formerly 25-7.024, Amended 6/10/94,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lee Romig

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE:
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: February 6, 1996

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence

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forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting at (904) 413-6770 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).