

MEMORANDUM

February 5, 1996

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TO: RECORDS AND REPORTING
FROM: MARY ANNE HELTON, DIVISION OF APPEALS
RE: DOCKET NOS. 951485-EU AND 960020-EU

Watt
SC-RECORDS REPORTING

0157-EEF

Attached is an ORDER GRANTING PETITIONS TO INITIATE RULEMAKING that is ready to be issued.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

| | | |
|---------------------------------|---|------------------------------|
| In Re: Petition to Initiate |) | DOCKET NO. 951485-EU |
| Changes Related to Rule 25- |) | |
| 6.049, F.A.C., Measuring |) | |
| Customer Service, By micromETER |) | |
| Corporation |) | |
| <hr/> | | |
| In Re: Petition to Initiate |) | DOCKET NO. 960020-EU |
| Rulemaking to Amend Rule 25- |) | ORDER NO. PSC-96-0157-POF-EU |
| 6.049, F.A.C., Measuring |) | ISSUED: February 5, 1996 |
| Customer Service, by Vistana |) | |
| Management, Ltd. |) | |
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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

ORDER GRANTING PETITIONS TO INITIATE RULEMAKING

BY THE COMMISSION:

On November 20, 1995, micromETER Corporation filed a petition to initiate rulemaking to amend Rule 25-6.049, Florida Administrative Code, entitled "Measuring Customer Service." On January 4, 1996, Vistana Management, Ltd. also filed a petition to amend Rule 25-6.049.

MicromETER seeks to provide submeters for buildings that are master metered. The petitioner would not remove the requirement for individual metering, but would allow metering to be accomplished by a non-utility entity. Vistana seeks to remove the individual meter requirement for time shares.

We grant micromETER's and Vistana's petitions to initiate rulemaking concerning Rule 25-6.049. However, we decline to propose micromETER's and Vistana's suggested amendments at this time. Additional information must be gathered before we can determine whether our policy should be changed. After the information gathering stage is complete, we will be in a better

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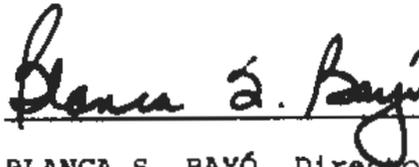
position to determine whether it is appropriate to propose amendments to Rule 25-6.049.

It is, therefore,

ORDERED that the petitions to initiate rulemaking to amend Rule 25-6.049, Florida Administrative Code, filed by micromETER Corporation and Vistana Management, Ltd. are granted as set forth above. It is further

ORDERED that these dockets shall remain open.

By ORDER of the Florida Public Service Commission, this 5th day of February, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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MAH

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer; (2)

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DOCKETS NOS. 951485-EU, 960020-EU
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reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.

AGENDA

Wednesday, March 27, 1996
9:30 a.m., Room 171, Easley Building

WORKSHOP CONCERNING RULE 25-6.049, F.A.C.
MEASURING CUSTOMER SERVICE

DOCKET NOS. **951485-EU** & 960020-EU

RECEIVED
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I. WELCOME

FPSC-RECORDS/REPORTING

II. TIMESHARES

- A. Impact on utility rates, costs, and forecasting
- B. Impact on conservation
- C. Conversion issues
- D. "Qualifying" distinction raised by TECO
- E. Appropriateness

III. microMETER'S PROPOSAL

- A. Demonstration by microMETER
- B. Impact on utility rates, costs, and forecasting
- C. Impact on conservation
- D. Impact on customer protection
- E. Conversion issues
- F. Appropriateness

IV. CLEAN UP

- A. Marinas
- B. Flat rate
- C. Cost description
- D. Resale enforcement

V. CLOSE