

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Amendments to) DOCKET NO. 960088-GU
Rules 25-7.135, F.A.C., Annual) ORDER NO. PSC-96-0431-FOF-GU
Reports; and 25-7.1351, F.A.C.,) ISSUED: March 27, 1996
Diversification Reports)
_____)

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

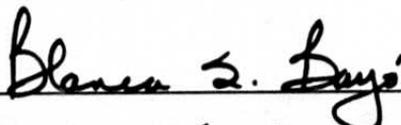
NOTICE OF ADOPTION OF RULE

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted the amendments to Rules 25-7.135 and 25-7.1351, Florida Administrative Code, relating to annual reports and diversification reports of natural gas utilities without changes.

The rule amendments were filed with the Department of State on March 26, 1996, and will be effective on April 15, 1996. A copy of the rule as filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission, this 27th day of March, 1996.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

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FPSC-RECORDS/REPORTING

25-7.135 Annual Reports.

(1) Each investor-owned natural gas utility shall file annual reports with the Commission on Commission Form PSC/AFA 20 (x/xx) ~~(12/94)~~ which is incorporated by reference into this rule. Form PSC/AFA 20, entitled "Annual Report of ~~Major~~ Natural Gas Utilities Companies", may be obtained from the Commission's Division of Auditing and Financial Analysis. These reports shall be verified by a responsible accounting officer of the company making the report and shall be due on or before April 30 for the preceding calendar year. A utility may file a written request for an extension of time with the Division of Auditing and Financial Analysis no later than April 30. 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.

(2) The utility shall also file with the original and each copy of the annual report form, or separately within 30 days, a letter or report, signed by an independent certified public accountant, attesting to the conformity in all material respects of the Comparative Balance Sheet, Statement of Income, and Statement of Cash Flows ~~schedules~~ and any their applicable notes ~~listed on the general information page of~~ from Form PSC/AFA 20 with the Commission's applicable uniform system of accounts and published accounting releases.

(3) Any utility which is on a fiscal year other than the calendar year may file the ~~above referenced~~ schedules and certification letter required by subsection (2) on a fiscal year basis within 90 days from the close of its fiscal year. A complete annual report, except for the certification letter, shall also be filed on a calendar year basis by these utilities.

Specific Authority: 366.05(1), 350.127(2), F.S.

Law Implemented: 366.05(1), F.S.

History: New 12/27/94, amended _____.

25-7.1351 Diversification Reports.

(1) Each new investor-owned gas utility shall file information on its affiliates and affiliated transactions on Commission Form PSC/AFA 16 (12/94) which is incorporated into this rule by reference. Form PSC/AFA 16, entitled "Analysis of Diversification Activities", may be obtained from the Commission's Division of Auditing and Financial Analysis.

(2) Definitions

(a) Affiliate - Any entity that directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with a gas utility. Ownership of 5 percent or more of the voting securities of an entity shall be conclusively deemed to constitute the control thereof.

(b) Affiliated Transaction - Any transaction in which both a gas utility and an affiliate thereof are each participants other

than transactions related to the filing of consolidated tax returns.

(3) Within 45 days of coming under the jurisdiction of the Commission, each investor-owned gas utility shall file Schedules 1, 7, and 8 of Form PSC/AFA 16 with the Division of Auditing and Financial Analysis.

~~(4) Each investor owned gas utility shall file Schedules 1-6 of Form PSC/AFA 16 as an attachment to its annual report.~~

~~(5) Each investor owned gas utility shall keep a detailed backup report of the summary report to facilitate auditing and analysis. Each investor owned gas utility shall maintain a clear audit trail from the summary report through the general ledger to the source documents supporting the reported transactions.~~

Specific Authority: 366.05(1), 350.127(2), FS.

Law Implemented: 366.05(1), FS.

History: New 12/27/94, amended 4/15/96.