

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date 2/18/98

Docket No. 980276-EI

- 1. Division Name/Staff Name APPEALS/CHRISTIANA T. MOORE *CM*
- 2. OPR CHRISTIANA T. MOORE (APP) *CM*
- 3. OCR EVELYN SEWELL (ADM), John Slemkewicz (AFAD) *JS*
- 4. Suggested Docket Title PROPOSED AMENDMENT OF RULE 25-6.0131, F.A.C. - INVESTOR-OWNED ELECTRIC COMPANY REGULATORY ASSESSMENT FEES

- 5. Suggested Docket Mailing List (attach separate sheet if necessary)
 - A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
 - B. Provide COMPLETE name and address for all others. (Match representatives to clients.)
 - 1. Parties and their representatives (if any)
- _____
- _____
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- _____
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- 2. Interested Persons and their representatives (if any)
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6. Check one:
 Documentation is attached. (RULE)
 Documentation will be provided with the recommendation.

1 | 25-6.0131 Regulatory Assessment Fees; Investor-owned Electric
2 | Companies, Municipal Electric Utilities, Rural Electric
3 | Cooperatives.

4 | (1) As applicable and as provided in s. 350.113, F.S., each
5 | company, utility, or cooperative shall remit to the Commission a
6 | fee based upon its gross operating revenue. This fee shall be
7 | referred to as a regulatory assessment fee. Regardless of the
8 | gross operating revenue of a company, a minimum annual regulatory
9 | assessment fee of \$25 shall be imposed.

10 | (a) Each investor-owned electric company shall pay a
11 | regulatory assessment fee in the amount of .00072 ~~0.000833~~ of
12 | gross operating revenues derived from intrastate business,
13 | excluding sales for resale between public utilities, municipal
14 | electric utilities, and rural electric cooperatives or any
15 | combination thereof.

16 | (b) Each municipal electric utility and rural electric
17 | cooperative shall pay a regulatory assessment fee in the amount
18 | of 0.00015625 of its gross operating revenues derived from
19 | intrastate business, excluding sales for resale between public
20 | utilities, municipal electric utilities, and rural cooperatives
21 | or any combination thereof.

22 | (2) Regulatory assessment fees are due each January 30 for
23 | the preceding period or any part of the period from July 1 until
24 | December 31, and on July 30 for the preceding period or any part
25 | of the period from January 1 until June 30.

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~~struck through~~ type are deletions from existing law.

1 (3) If the due date falls on a Saturday, Sunday, or a
2 holiday, the due date is extended to the next business day. If
3 the fees are sent by registered mail, the date of the
4 registration is the United States Postal Service's postmark date.
5 If the fees are sent by certified mail and the receipt is
6 postmarked by a postal employee, the date on the receipt is the
7 United States Postal Service's postmark date. The postmarked
8 certified mail receipt is evidence that the fees were delivered.
9 Regulatory assessment fees are considered paid on the date they
10 are postmarked by the United States Postal Service or received
11 and logged in by the Commission's Division of Administration in
12 Tallahassee. Fees are considered timely paid if properly
13 addressed, with sufficient postage and postmarked no later than
14 the due date.

15 (4) Commission Form PSC/ADM 68 (07/96), entitled "Investor-
16 Owned Electric Utility Regulatory Assessment Fee Return"; Form
17 PSC/ADM 69 (07/96), entitled "Municipal Electric Utility
18 Regulatory Assessment Fee Return"; and Form PSC/ADM 70 (07/96),
19 entitled "Rural Electric Cooperative Regulatory Assessment Fee
20 Return" are incorporated into this rule by reference and may be
21 obtained from the Commission's Division of Administration. The
22 failure of a utility to receive a return form shall not excuse
23 the utility from its obligation to timely remit the regulatory
24 assessment fees.

25 (5) Each company, utility, or cooperative shall have up to

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1 | and including the due date in which to:

2 | (a) Remit the total amount of its fee or

3 | (b) Remit an amount which the company, utility, or
4 | cooperative estimates is its full fee.

5 | (6) Where the company, utility, or cooperative remits less
6 | than its full fee, the remainder of the full fee shall be due on
7 | or before the 30th day from the due date and shall, where the
8 | amount remitted was less than 90 percent of the total regulatory
9 | assessment fee, include interest as provided by subsection (8) (b)
10 | of this Rule.

11 | (7) A company may request from the Division of
12 | Administration a 30-day extension of its due date for payment of
13 | regulatory assessment fees or for filing its return form.

14 | (a) The request for extension must be written and
15 | accompanied by a statement of good cause.

16 | (b) The request for extension must be received by the
17 | Division of Administration at least two weeks before the due
18 | date.

19 | (c) Where a company, utility, or cooperative receives an
20 | extension of its due date pursuant to this rule, then the entity
21 | shall remit a charge in addition to the regulatory assessment
22 | fee, as set out in s. 350.113, F.S.

23 | (8) The delinquency of any amount due to the Commission
24 | from the company, utility, or cooperative pursuant to the
25 | provisions of s. 350.113, F.S. and this rule, begins with the

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1 first calendar day after any date established as the due date
2 either by operation of this rule or by an extension pursuant to
3 this rule.

4 (a) A penalty, as set out in s. 350.113, F.S. shall apply
5 to any such delinquent amounts.

6 (b) Interest at the rate of 12 percent per annum shall
7 apply to any such delinquent amounts.

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

9 Law Implemented: 350.113, 366.14, F.S.

10 History: New 5/18/83, Amended 2/9/84, formerly 25-6.131, Amended
11 6/18/86, 10/16/86, 3/7/89, 2/19/92, 07/08/96, _____.

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