

STATE OF FLORIDA

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OFFICE OF THE GENERAL COUNSEL
KEITH C. HETRICK
GENERAL COUNSEL
(850) 413-6199

Public Service Commission

June 14, 2019

Kenneth J. Plante, Coordinator
Joint Administrative Procedures Committee
Room 680, Pepper Building
111 W. Madison Street
Tallahassee, FL 32399-1400

HAND DELIVERY

Re: Docket No. 20190074-PU; Repeal of Rule 25-4.0051, F.A.C., Current Certificate Holder Information, and Rule 25-4.520, F.A.C., Reporting Requirements, and proposed adoption of Rule 25-22.108, F.A.C., Change of Regulated Utility Contact Information.

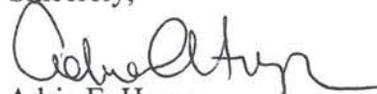
Dear Mr. Plante:

Enclosed are the following materials concerning the above referenced proposed rules

1. A copy of the proposed rules.
2. A copy of all materials incorporated by reference in the proposed rules.
3. A copy of the F.A.R. notices.
4. A statement of facts and circumstances justifying the proposed rules.
5. A federal standards statement.
6. Statement of Estimated Regulatory Costs for the rules.

If there are any questions with respect to these rules, please do not hesitate to call me at 850-413-6082.

Sincerely,


Adria E. Harper
Senior Attorney

Enclosures

cc: Office of Commission Clerk

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2019 JUN 14 PM 1:03
COMMISSION CLERK
RECEIVED
2019 JUN 14 AM 11:34
JOINT ADMINISTRATIVE PROCEDURES COMMITTEE

1 **25-4.0051 Current Certificate Holder Information.**

2 ~~Each company shall file updated information for the following items with the Office of the~~
3 ~~Commission Clerk within 10 days after any changes to the following:~~

4 ~~(1) The address of the certificate holder's main corporate and Florida offices (if any)~~
5 ~~including street name and address and post office box, city, state and zip code; or~~

6 ~~(2) Telephone number, name, and address of the individual who is to serve as primary~~
7 ~~liaison with the Commission in regard to the ongoing Florida operations of the certificated~~
8 ~~company.~~

9 *Rulemaking Authority 350.127(2), 427.704(8) FS. Law Implemented 364.016, 364.183,*
10 ~~*364.336, 364.3375 FS. History—New 2-4-13, Repealed*~~

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CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 **25-4.520 Reporting Requirements.**

2 ~~Each pay telephone service company shall file with the Commission's Office of the~~
3 ~~Commission Clerk updated information for the following items within ten days after a change~~
4 ~~occurs:~~

5 ~~(1) The street address of the certificate holder including number, street name, city, state~~
6 ~~and zip code, and the mailing address if it differs from the street address.~~

7 ~~(2) Name, title, and phone number of the individual responsible for contact with the~~
8 ~~Commission.~~

9 *Rulemaking Authority 350.127(2) FS. Law Implemented 350.115, 350.117, 364.17, 364.18,*
10 *364.185, 364.3375 FS. History—New 1-5-87, Amended 1-2-91, 12-29-91, 2-1-99, Formerly 25-*
11 *24.520. Repealed*

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1 **25-22.108 Change of Regulated Utility Contact Information**

2 (1) Within 30 days of being regulated by the Florida Public Service Commission as
3 defined by Section 350.111, Florida Statutes, a utility shall submit its contact information to
4 the Office of the Commission Clerk using Form PSC 1024 (6/19) "Change of Regulated
5 Utility Contact Information" except when all current information was submitted in the utility's
6 application form. Form PSC 1024 (6/19) "Change of Regulated Utility Contact Information,"
7 is available at the Department of State website at <http://www.XXXX> and at the Commission's
8 website at <http://www.floridapsc.com/ClerkOffice/ChangeOfCompanyInfo>.

9 (2) If a utility makes any changes to the information listed in the form, the utility must
10 submit an updated Form PSC 1024 (6/19) to the Office of the Commission Clerk that shows
11 all changes within 30 days of the changes.

12 Rulemaking Authority 350.127(2), 364.01, 364.183, 366.05, 367.121, 368.05, 427.704(8),
13 FS. Law Implemented 364.183, 366.05, 367.156, 368.05, 368.108, 427.704, FS. History—New

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CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

Change of Regulated Utility Contact Information

To edit, please search by industry or company name and then click on Edit.

Note: This form functions best with Internet Explorer.

Search by <input type="text"/> <input type="button" value="Search"/>	Select by Industry <input type="text"/> <input type="button" value="Search"/>		
Official Company Name	<input type="text"/>	Mailing Name	<input type="text" value="Please Enter Mailing Name"/>
Company / Utility Code	<input type="text"/>	Certificate No.	<input type="text"/>
Federal Identification No.	<input type="text"/>	Physical Location	Address 1 <input type="text"/> Address 2 <input type="text"/> City <input type="text"/> State <input type="text"/> Zip <input type="text"/> Country <input type="text"/>
Attention Line	First Name <input type="text"/> Middle <input type="text"/> Last Name <input type="text"/> Title <input type="text"/> Telephone <input type="text"/> Ext <input type="text"/> Fax <input type="text"/> E-mail <input type="text"/>	Mailing Address	Address 1 <input type="text"/> Address 2 <input type="text"/> City <input type="text"/> State <input type="text"/> Zip <input type="text"/> Country <input type="text"/>
Liaison Officer No. 1	First Name <input type="text"/> Middle <input type="text"/> Last Name <input type="text"/> Title <input type="text"/> Telephone <input type="text"/> Ext <input type="text"/> Fax <input type="text"/> E-mail <input type="text"/>	Liaison Officer No. 2	First Name <input type="text"/> Middle <input type="text"/> Last Name <input type="text"/> Title <input type="text"/> Telephone <input type="text"/> Ext <input type="text"/> Fax <input type="text"/> E-mail <input type="text"/>
Company Web Address	<input type="text"/>		
NOTES	<input type="text"/>		
Submitted By Company Representative			
First Name	<input type="text" value="Please Enter First Name"/>	Last Name	<input type="text" value="Please Enter Last Name"/>
Title	<input type="text" value="Please Enter Title"/>	Telephone	<input type="text" value="Please Enter Phone"/>
Email	<input type="text" value="Please Enter Email Address"/>		
<input type="button" value="SUBMIT"/>			

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NOS: RULE TITLES:

25-4.0051 Current Certificate Holder Information

25-4.520 Reporting Requirements

PURPOSE AND EFFECT: To repeal Rules 25-4.0051 and 25-4.520, F.A.C. which apply to pay service telephone and telecommunication companies. These rules are no longer necessary. All regulated utilities will be required to update contact information with the Commission pursuant to the adoption of a new utility contact information rule.

Docket No. 20190074-PU

SUMMARY: The rules require certificate holding telecommunications and pay telephone service companies to update their contact information with the Commission. Because the rules are limited to telecommunications and pay telephone service companies only, these rules are repealed and replaced by a new utility contact information rule that applies to all utilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency. The SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule repeal will not have an adverse impact on economic growth, business competitiveness, or small business and that there would likely be transactional cost savings to the individual and entities, including government entities, required to comply with the rule.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 120.54, 350.01, 350.127(2), 427.704(8), FS.

LAW IMPLEMENTED: 350.115, 350.117, 364.016, 364.17, 364.18, 364.18, 364.016, 364.183, 364.185, 364.335, 364.336, 364.3375, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adria Harper, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, aharper@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0051 Current Certificate Holder Information.

Rulemaking Authority 350.127(2), 427.704(8) FS. Law Implemented 364.016, 364.183, 364.336, 364.3375 FS. History—New 2-4-13, Repealed.

25-4.520 Reporting Requirements.

Rulemaking Authority 350.127(2) FS. Law Implemented 350.115, 350.117, 364.17, 364.18, 364.185, 364.3375 FS. History—New 1-5-87, Amended 1-2-91, 12-29-91, 2-1-99, Formerly 25-24.520, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cayce Hinton

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2019.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 44, Number 160, August 16, 2018.

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE:

25-22.108 Change of Regulated Utility Contact Information

PURPOSE AND EFFECT: To create Rule 25-22.108, F.A.C. specifying that all regulated utilities are required to update the utility's contact information with the Commission.

Docket No. 20190074-PU

SUMMARY: The rule provides that within 30 days of being regulated by the Commission, a utility must submit its contact information to the Office of the Commission Clerk. If a utility makes any changes to its contact information, the utility must submit its updated contact information to the Office of the Commission Clerk within 30 days of the changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency. The SERC examined the factors required by Section 120.541(2), FS, and concluded that the new rule will not have an adverse impact on economic growth, business competitiveness, or small business and that there would likely be transactional cost savings to the individual and entities, including government entities, required to comply with the rule.

The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 350.127(2), 364.01, 364.183, 366.05, 367.121, 368.05, 427.704(8), FS.

LAW IMPLEMENTED: 366.05, 367.156, 368.05, 368.108, 427.704, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adria Harper, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, aharper@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-22.108 Change of Regulated Utility Contact Information

(1) Within 30 days of being regulated by the Florida Public Service Commission as defined by Section 350.111, Florida Statutes, a utility shall submit its contact information to the Office of the Commission Clerk using Form PSC 1024 (6/19) "Change of Regulated Utility Contact Information" except when all current information was submitted in the utility's application form. Form PSC 1024 (6/19) "Change of Regulated Utility Contact Information," is available at the Department of State website at <http://www.XXXX> and at the Commission's website at <http://www.floridapsc.com/ClerkOffice/ChangeOfCompanyInfo>.

(2) If a utility makes any changes to the information listed in the form, the utility must submit an updated Form PSC 1024 (6/19) to the Office of the Commission Clerk that shows all changes within 30 days of the changes.

Rulemaking Authority 350.127(2), 364.01, 364.183, 366.05, 367.121, 368.05, 427.704(8), FS. Law Implemented 364.183, 366.05, 367.156, 368.05, 368.108, 427.704, FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cayce Hinton

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 11, 2019.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 44, Number 160, August 16, 2018.

Rules 25-4.0051, F.A.C., 25-4.520,
F.A.C., 25-22.108, F.A.C.
Docket No. 20190074-PU

STATEMENT OF FACTS AND CIRCUMSTANCES
JUSTIFYING RULE

Rules 25-4.0051 and 25-4.520, F.A.C., require certificate holding telecommunications and pay telephone service companies to update their contact information with the Commission. Because these rules are limited to telecommunications and pay telephone service companies only, the rules are unnecessary and are being repealed and replaced by Rule 25-22.108, F.A.C.

Rule 25-22.108, F.A.C., codifies current Commission practice that requires all regulated utilities to update their contact information with the Commission. If a utility makes any changes to its contact information, the utility must submit an updated form to the Office of the Commission Clerk within 30 days of the changes.

STATEMENT ON FEDERAL STANDARDS

There are no federal standards for these rules.

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: May 28, 2019

TO: Adria E. Harper, Senior Attorney, Office of the General Counsel

FROM: Sevini K. Guffey, Public Utility Analyst II, Division of Economics *SKG.*

RE: Statement of Estimated Regulatory Costs for Proposed Repeal of Rule 25-4.0051, Florida Administrative Code (F.A.C.), Current Certificate Holder Information, and Rule 25-4.520, F.A.C., Reporting Requirements, and Proposed New Rule 25-22.108, F.A.C., Change of Regulated Utility Contact Information.

Current Rules 25-4.0051 and 25-4.520, F.A.C., which apply to pay service telephone and telecommunication companies, require them to file updated contact information with the Commission within 10 days if there are any changes to their contact person, address, or the primary liaison for the Florida operations. These rules are being repealed because all regulated utilities will be required to file updated contact information with the Commission pursuant to new proposed Rule 25-22.108, F.A.C.

Proposed Rule 25-22.108, F.A.C., Change of Regulated Utility Contact Information, will require all utilities regulated by the Commission to submit their contact information within 30 days of being regulated by the Commission and update their contact information when the information changes. The rule will require a utility to submit Form PSC 1024 (6/19) titled "Change of Regulated Utility Contact Information" to the Commission when the utility's contact information changes. The referenced form is available at the Florida Department of State and at the Florida Public Service Commission websites.

The number of regulated utilities required to comply with this rule are 57 electric, 58 gas, 319 telecommunications, 124 water, and 93 wastewater companies. The proposed rule revisions are not imposing any new regulatory requirements. No workshop was requested by affected parties in conjunction with the recommended repeal of Rules 25-4.0051 and 25-4.520, F.A.C. and proposed new Rule 25-22.108, F.A.C. No regulatory alternatives were submitted pursuant to Section 120.541(1)(a), Florida Statutes (F.S.). None of the impact/cost criteria established in Section 120.541(2)(a), F.S., will be exceeded as a result of the recommended revisions.

cc: SERC file

FLORIDA PUBLIC SERVICE COMMISSION
STATEMENT OF ESTIMATED REGULATORY COSTS
Rules 25-4.0051, 25-4.520, and 25-22.108, F.A.C.

1. Will the proposed rule have an adverse impact on small business? [120.541(1)(b), F.S.] (See Section E., below, for definition of small business.)

Yes

No

If the answer to Question 1 is "yes", see comments in Section E.

2. Is the proposed rule likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within 1 year after implementation of the rule? [120.541(1)(b), F.S.]

Yes

No

If the answer to either question above is "yes", a Statement of Estimated Regulatory Costs (SERC) must be prepared. The SERC shall include an economic analysis showing:

A. Whether the rule directly or indirectly:

(1) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)1, F.S.]

Economic growth

Yes No

Private-sector job creation or employment

Yes No

Private-sector investment

Yes No

(2) Is likely to have an adverse impact on any of the following in excess of \$1 million in the aggregate within 5 years after implementation of the rule? [120.541(2)(a)2, F.S.]

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets)

Yes No

Productivity

Yes No

Innovation

Yes No

(3) Is likely to increase regulatory costs, including any transactional costs, in

excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes

No

Economic Analysis: The proposed rule changes will benefit all telephone, water and wastewater, electric, and gas utilities that are regulated by the Commission. By having one standardized form for all utilities which enable them to maintain updated contact information will aid the Commission to contact the utility companies efficiently. As a result, the companies will be able to avoid penalties for late payment of regulatory fees, avoid late response to data inquiries, and avoid cancellation of their certificates for non-compliance.

B. A good faith estimate of: [120.541(2)(b), F.S.]

(1) The number of individuals and entities likely to be required to comply with the rule.

The number of entities to which the new rule applies and is required to comply with include 57 electric, 58 gas, 319 telecommunications, 124 water, and 93 wastewater companies that are currently regulated by the Commission.

(2) A general description of the types of individuals likely to be affected by the rule.

57 electric, 58 gas, 319 telecommunications, 124 water, and 93 wastewater companies that are currently regulated by the Commission will be affected by this rule.

C. A good faith estimate of: [120.541(2)(c), F.S.]

(1) The cost to the Commission to implement and enforce the rule.

None. To be done with the current workload and existing staff.

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

(2) The cost to any other state and local government entity to implement and enforce the rule.

None. The rule will only affect the Commission.

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

(3) Any anticipated effect on state or local revenues.

None.

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

D. A good faith estimate of the transactional costs likely to be incurred by individuals and entities (including local government entities) required to comply with the requirements of the rule. "Transactional costs" include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used, procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring or reporting, and any other costs necessary to comply with the rule.
[120.541(2)(d), F.S.]

None. The rule will only affect the Commission.

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

E. An analysis of the impact on small businesses, and small counties and small cities:
[120.541(2)(e), F.S.]

(1) "Small business" is defined by Section 288.703, F.S., as an independently owned and operated business concern that employs 200 or fewer permanent full-time employees and that, together with its affiliates, has a net worth of not more than \$5 million or any firm based in this state which has a Small Business Administration 8(a) certification. As to sole proprietorships, the \$5 million net worth requirement shall include both personal and business investments.

No adverse impact on small business.

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

(2) A "Small City" is defined by Section 120.52, F.S., as any municipality that has an unincarcerated population of 10,000 or less according to the most recent decennial census. A "small county" is defined by Section 120.52, F.S., as any county that has an unincarcerated population of 75,000 or less according to the most recent decennial census.

- No impact on small cities or small counties.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

F. Any additional information that the Commission determines may be useful.
[120.541(2)(f), F.S.]

- None.

Additional Information:

G. A description of any regulatory alternatives submitted and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule. [120.541(2)(g), F.S.]

- No regulatory alternatives were submitted.
- A regulatory alternative was received from
 - Adopted in its entirety.
 - Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.