

I. Meeting Packet



State of Florida

Public Service Commission

INTERNAL AFFAIRS AGENDA

Thursday – September 04, 2025

Immediately Following Agenda Conference

Room 105 – Gerald L. Gunter Building

1. Draft 2025 Regulatory Plan (Attachment 1)
2. Florida Public Service Commission Efficiency Committee Recommendations (Attachment 2)
3. General Counsel's Report
4. Executive Director's report
 - a. Legislative Budget Request FY2026-27
5. Other Matters

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OUTSIDE PERSONS WISHING TO ADDRESS THE COMMISSION ON
ANY OF THE AGENDAED ITEMS SHOULD CONTACT THE
OFFICE OF THE EXECUTIVE DIRECTOR AT (850) 413-6463.

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-
REVISED**

DATE: August 25, 2025

TO: Braulio L. Baez, Executive Director

FROM: Susan Sapoznikoff, Senior Attorney, Office of the General Counsel *SS*

RE: Florida Public Service Commission 2025 Regulatory Plan
CRITICAL INFORMATION: Please place on the calendar for the September 4, 2025, Internal Affairs meeting.
Commission approval is sought

Pursuant to Section 120.74(1), Florida Statutes (F.S.), by October 1 of each year the Commission must prepare a Regulatory Plan and submit it to the Joint Administrative Procedures Committee (JAPC).

The Regulatory Plan is required to include a listing of each law enacted or amended during the previous 12 months that created or modified the duties or authority of the agency. In addition, the plan is required to include a listing of each statute that the Commission expects to implement by rulemaking before July 1, and any update to the prior year's Regulatory Plan. Finally, the Regulatory Plan is required to include a certification from the Chairman and the General Counsel verifying they have reviewed the plan and that the Commission regularly reviews its rules to determine consistency with the our rulemaking authority and the laws implemented.

2025 Statutory Changes to the Regulatory Plan Requirements

During its 2025 session, the Legislature made changes to the requirements for the Regulatory Plan. In addition to the requirements listed above, these statutory changes impose five new required components for the Regulatory Plan. First, the plan must now contain a list of all of the Commission's rules in effect as of July 1, 2025. Second, the Regulatory Plan must include the Commission's plan to review those rules over the next five years (at least 20 percent each year) using statutorily specified criteria. Next, the plan must include a list of which rules the Commission will review in each of the five years. In addition, the plan must now include a statement concerning compliance with licensing timeframes and other data concerning licensing processing. Finally, if any rules scheduled for review were not reviewed, the Regulatory Plan must include an explanation as to why an agency did not review all the rules it indicated it would.

Approval of the Regulatory Plan

Section 120.74(2), F.S., requires that by October 1 of each year, the Commission must publish the Regulatory Plan on its website and electronically deliver it to JAPC. Also by October 1, the Commission must publish a notice in the Florida Administrative Register (FAR) indicating the date the Commission published the Regulatory Plan on the Commission's website. These have been long-standing requirements and were not altered by the 2025 statutory amendments.

To comply with the statutory deadline of October 1, staff seeks the Commission's approval of the 2025 Regulatory Plan at the September 4, 2025, Internal Affairs meeting. The transmittal letter to JAPC, a draft of which is attached to this memorandum, contains the certification required by Section 120.74(1)(d), F.S. Attachments A through H to the certification letter provide the information required by statute. The list of laws that create or modify the Commission's duties or authority is attached to the certification letter as Attachment A. Attachment B to the certification letter is the Commission's list of laws that it expects to implement through rule adoption, amendment, or repeal before July 1, 2026. The Commission's report that it has no updates to the 2024 Regulatory Plan is Attachment C to the certification letter. Attachment D to the certification letter is the list of all Commission rules in effect as of July 1, 2025. The Commission's plan to review its 433 rules is attached to the certification letter as Exhibit E. Attachment F to the certification letter contains the lists of which of its rules the Commission will review each year over the next five years. Attachment G addresses whether the Commission failed to review any rules requiring review in the prior year's regulatory plan, and there are no such rules. Finally, the Commission's statement that Section 120.80, F.S., exempts it from the licensing timeframes established by Section 120.60, F.S., is attached as Attachment H.

Future Next Steps

Once the Commission approves the Regulatory Plan, the Commission is required to review the rules listed on this year's schedule, as set forth in Attachment F to the certification letter. Pursuant to Section 120.5435(4), F.S., in reviewing each rule the Commission must determine if the rule (1) is a valid exercise of delegated legislative authority, (2) has current statutory authority, (3) improperly reiterates or paraphrases statutory material, (4) is in proper form, (5) is consistent with expressed legislative intent, (6) requires a technical or substantive change or needs to be repealed, and (7) if the statutory citations or reference materials need updating or to be incorporated by reference.

By January 1, 2026, the Commission is required to submit a report to the President of the Florida Senate, the Speaker of the Florida House of Representatives, and JAPC, that summarizes our intended action for each rule reviewed. That action can be to make a technical change, make a substantive change, repeal the rule, or make no change.

By April 1, 2026, the Commission must submit a statement to JAPC explaining and justifying its intended actions for each rule, which must include the assessment of the required factors listed above, and publish any required notices in the FAR.

Braulio L. Baez

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JAPC then has until July 1, 2026, to review each agency's rule review submissions. For rules for which the Commission is proposing no change or only a technical change, the rule review is not complete until JAPC has certified that the Commission has responded in writing to all material and timely written comments. For rules being substantively amended or repealed, the rule review is considered complete when the Commission timely filed its required notices in the FAR.

Commission staff will bring an item to a future Internal Affairs that will address the proposed plan of action following the rule review required by Section 120.5435, F.S.

cc: Adria Harper, General Counsel
Apryl Lynn, Deputy Executive Director, Administrative
Mark Futrell, Deputy Executive Director, Technical

STATE OF FLORIDA

MIKE LA ROSA
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Public Service Commission

September __, 2025

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

VIA E-MAIL
japc@leg.state.fl.us

Re: Florida Public Service Commission's 2025 Regulatory Plan

Dear Mr. Plante:

The Florida Public Service Commission (Commission) hereby files its 2025 Regulatory Plan pursuant to Section 120.74, Florida Statutes (F.S.).

Section 120.74(1)(a), F.S., requires a listing of each law enacted or amended during the previous 12 months that creates or modifies the duties or authority of the agency. For each law listed under paragraph (1)(a), the plan must state whether rule adoption is required to implement the law, and if so, whether a notice of rule development has been published and the date by which the agency expects to publish the notice of proposed rule. The Commission's report of laws pursuant to Section 120.74(1)(a), F.S., is attached as Attachment A.

Section 120.74(1)(b), F.S., states that the regulatory plan must also include a listing of each law not listed pursuant to Section 120.74(1)(a), F.S., that the agency expects to implement by rulemaking before the following July 1. For each law listed under paragraph (1)(b), the plan must state whether the rulemaking is intended to simplify, clarify, increase efficiency, improve coordination with other agencies, reduce costs, or delete obsolete, unnecessary, or redundant rules. The Commission's report of laws pursuant to Section 120.74(1)(b), F.S., is attached as Attachment B.

Section 120.74(1)(c), F.S., requires an identification and listing of laws that were identified in a prior year's regulatory plan as requiring rulemaking to implement, but for which a notice of proposed rule has not been published. The Commission has no laws or updates to report pursuant to Section 120.74(1)(c), F.S. The Commission's report that it has no laws or updates to the 2024 Regulatory Plan is attached as Attachment C.

Section 120.74(1)(e), F.S., requires a list of the agency's rules in existence as of July 1, 2025; a 5-year schedule to review those rules; and a yearly schedule for the rules to be reviewed each of

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the five years. Attachment D contains the list of all Commission rules in existence as of July 1, 2025. Attachment E contains the Commission's plan to review each of those rules. Attachment F lists which rules the Commission will review each of the five years.

Section 120.74(1)(f), F.S., requires an explanation as to why an agency did not review any rules it was required to review pursuant to Section 120.5435, F.S. As Section 120.5435, Florida Statutes, only became effective July 1, 2025, the Commission did not identify any rules requiring review in its 2024 Regulatory Plan. Accordingly, there are no rules that the Commission had identified in its 2024 Regulatory Plan as requiring review for which the agency has not yet completed that review.

Section 120.74(1)(g), F.S., requires a statement by an agency concerning compliance with licensing timeframes. Attachment H indicates that pursuant to Section 120.80, F.S., the Commission is exempt from the licensing timeframes established by Section 120.60, F.S.

Section 120.74(1)(d), F.S., requires the plan to include a certification. Pursuant to Section 120.74(1)(d), F.S., we verify that we have reviewed the attached regulatory plan. We further verify that the Commission regularly reviews all of its rules and that the Commission's rules were most recently reviewed for the period September 1, 2024, through August 31, 2025, to determine if the rules remain consistent with the Commission's rulemaking authority and the laws implemented.

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Enclosures

SS

LAWS CREATING OR MODIFYING DUTIES OR AUTHORITY

SECTION 120.74(1)(a), F.S

Laws	Rulemaking Necessary	Notice of Rule Development Published	Expected Date of Notice of Proposed Rule	Reason Why Rulemaking is Not Necessary
Section 427.704, F.S., was amended to revise the powers and duties of the Florida Public Service Commission in overseeing the administration of the telecommunications access system under the Telecommunications Access System Act of 1991. (CS/CS/CS/SB 344; Ch. 2025-148, Laws of Florida)	Yes.	Yes. July 30, 2025 (Volume 51, Number 147)	November 1, 2025	N/A
Section 366.032, F.S., was amended to extend preemption over utility service restrictions. (CS/HB 1137; Ch. 2025-42, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 366.20, F.S., was created to require that certain lands owned by an electric utility be offered for sale to the State before sale or transfer to a private entity. (CS/CS/CS/SB 700; Ch. 2025-22, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 366.94, F.S., was amended to define “electric vehicle charging station,” and delegate implementation and rulemaking authority to the Department of Agriculture and Consumer Services (CS/CS/CS/SB 700; Ch. 2025-22, Laws of Florida)	No	N/A	N/A	The statute delegates rulemaking to the Department of Agriculture and Consumer Services.

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT A
2025 REGULATORY PLAN

LAWS CREATING OR MODIFYING DUTIES OR AUTHORITY
SECTION 120.74(1)(a), F.S

Laws	Rulemaking Necessary	Notice of Rule Development Published	Expected Date of Notice of Proposed Rule	Reason Why Rulemaking is Not Necessary
Section 120.52, F.S., was amended to define the term “technical change.” (CS/SB 108; Ch. 2025-189, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 120.536, F.S., was amended to prohibit certain provisions in a rule. (CS/SB 108; Ch. 2025-189, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 120.54, F.S., was amended to update requirements for materials incorporated by reference and update the time frames and requirements for rulemaking, (CS/SB 108; Ch. 2025-189, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 120.541, F.S., was amended to update requirements and procedures regarding Statements of Estimated Regulatory Costs. (CS/SB 108; Ch. 2025-189, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 120.5435, F.S., was added to include the requirement and procedure for agencies to review all their rules. (CS/SB 108; Ch. 2025-189, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT A
2025 REGULATORY PLAN

LAWS CREATING OR MODIFYING DUTIES OR AUTHORITY
SECTION 120.74(1)(a), F.S

Laws	Rulemaking Necessary	Notice of Rule Development Published	Expected Date of Notice of Proposed Rule	Reason Why Rulemaking is Not Necessary
Section 120.545, F.S., was amended to require the Joint Administrative Procedures Committee to review each rule being reviewed and setting forth its authority. (CS/SB 108; Ch. 2025-189, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 120.55, F.S., was amended to revise the Florida Administrative Code and Florida Administrative Register contents, and change how materials incorporated by reference are filed with the Department of State. (CS/SB 108; Ch. 2025-189, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 120.74, F.S., was amended to require agencies to include certain information about their rule review in their annual regulatory plans. (CS/SB 108; Ch. 2025-189, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 252.3655, F.S., was amended to create a natural disasters workgroup, of which the chair of the Public Service Commission shall serve as a member. (CS/CS/SB 180; Ch. 2025-190, Laws of Florida).	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT A
2025 REGULATORY PLAN

LAWS CREATING OR MODIFYING DUTIES OR AUTHORITY
SECTION 120.74(1)(a), F.S

Laws	Rulemaking Necessary	Notice of Rule Development Published	Expected Date of Notice of Proposed Rule	Reason Why Rulemaking is Not Necessary
Section 339.135, F.S., was amended to require the Florida Department of Transportation to submit a report identifying whether certain entities' transportation projects have adopted or promoted energy policy goals inconsistent with the state's energy policy as set forth by certain state agencies, including the Public Service Commission. (CS/CS/CS/SB 1662; Ch. 2025-155, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Sections 11.2421, .2422, .2424, and .2425, F.S., were amended to adopt the 2025 statutes and designate the portions that constitute the official law of the state. (SB 36; Ch. 2025-3, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 119.071, F.S., was amended to provide exemptions to the public records requirements for current congressional members. (CS/CS/SB 268; Ch. 2025-195, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT A
2025 REGULATORY PLAN

LAWS CREATING OR MODIFYING DUTIES OR AUTHORITY
SECTION 120.74(1)(a), F.S

Laws	Rulemaking Necessary	Notice of Rule Development Published	Expected Date of Notice of Proposed Rule	Reason Why Rulemaking is Not Necessary
Sections 119.071 and 286.0113, F.S., were amended to provide exemptions to the public records requirements for certain components of public safety communications systems. (SB 7006; Ch. 2025-90, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Sections 119.0725 and 282.318, F.S., were amended to update the repeal date for exemptions regarding agency cybersecurity information. (SB 7020; Ch. 2025-27, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 215.4725, F.S., was amended to define an agency and include an agency in the definition of “other entities,” and include both in the prohibition of activities and statements regarding the boycott of Israel. (CS/CS/SB 1678; Ch. 2025-192, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.
Section 379.1026, F.S., was amended to remove the scheduled repeal of the public records exemption for site-specific endangered and threatened species. (SB 7000; Ch. 2025-25, Laws of Florida)	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT A
2025 REGULATORY PLAN

LAWS CREATING OR MODIFYING DUTIES OR AUTHORITY
SECTION 120.74(1)(a), F.S

Laws	Rulemaking Necessary	Notice of Rule Development Published	Expected Date of Notice of Proposed Rule	Reason Why Rulemaking is Not Necessary
All state agencies are required to update, change, or create materials using the name “Gulf of America” rather than “Gulf of Mexico.” (CS/HB 549; Ch. 2025-7, Laws of Florida.	No	N/A	N/A	The statute is specific as to all requirements and is self-executing.

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FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT B
2025 REGULATORY PLAN

LAWS NOT CREATING OR MODIFYING DUTIES OR AUTHORITY
SECTION 120.74(1)(b), F.S.

Laws	Intent of Rulemaking
Section 366.03, F.S.	To amend Rule 25-6.109, F.A.C., Refunds, to clarify alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal
Section 366.04, F.S.	To amend Rule 25-6.0435, F.A.C., Interim Rate Relief, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal To amend Rule 25-6.109, F.A.C., Refunds, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal
Section 366.06, F.S.	To amend Rule 25-6.0435, F.A.C., Interim Rate Relief, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal To amend Rule 25-6.109, F.A.C., Refunds, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal To amend Rule 25-7.040, F.A.C., Interim Rate Relief, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal To amend Rule 25-7.091, F.A.C., Refunds, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal
Section 366.07, F.S.	To amend Rule 25-6.109, F.A.C., Refunds, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal
Section 366.071, F.S.	To amend Rule 25-6.0435, F.A.C., Interim Rate Relief, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal To amend Rule 25-6.109, F.A.C., Refunds, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal To amend Rule 25-7.040, F.A.C., Interim Rate Relief, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal To amend Rule 25-7.091, F.A.C., Refunds, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT B
2025 REGULATORY PLAN

LAWS NOT CREATING OR MODIFYING DUTIES OR AUTHORITY
SECTION 120.74(1)(b), F.S.

Laws	Intent of Rulemaking
Section 367.081, F.S.	To amend Rule 25-30.255, F.A.C., Measurement of Service for Water Utilities, to clarify and update rule requirements To amend Rule 25-30.360, F.A.C., Refunds, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal To repeal Rule 25-30.415, F.A.C., Return on Common Equity, as unnecessary To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to clarify and update rule requirements to include updated accounting standards
Section 367.0811, F.S.	To amend Rule 25-30.0372, F.A.C., Alternative Procedure for Establishing Rate Base Value of Acquired Utility System, to clarify and update rule requirements to include updated accounting standards
Section 367.0812, F.S.	To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to clarify and update rule requirements to include updated accounting standards
Section 367.0814, F.S.	To amend Rule 25-30.360, F.A.C., Refunds, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to clarify and update rule requirements
Section 367.082, F.S.	To amend Rule 25-30.360, F.A.C., Refunds, to clarify and recognize alternative publications to obtain interest rates rather than sole reliance on the Wall Street Journal
Section 367.0822, F.S.	To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to clarify and update rule requirements to include updated accounting standards
Section 367.111, F.S.	To amend Rule 25-30.255, F.A.C., Measurement of Service for Water Utilities, to clarify and update rule requirements
Section 367.121, F.S.	To repeal Rule 25-30.010, F.A.C., Rules for General Application, as unnecessary
Section 367.1213, F.S.	To amend Rule 25-30.433, F.A.C., Rate Case Proceedings, to clarify and update rule requirements to include updated accounting standards

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FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT C
2025 REGULATORY PLAN

UPDATES TO 2024 REGULATORY PLAN
SECTION 120.74(1)(c), F.S.

The Commission has no laws or updates to the 2024 Regulatory Plan to report pursuant to Section 120.74(1)(c), F.S.

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT D
2025 REGULATORY PLAN

LIST OF RULES SCHEDULED FOR REVIEW PURSUANT TO SECTION 120.5435, F.S.
SECTION 120.74(1)(E)1.

**CHAPTER 25-4
TELEPHONE COMPANIES**

Rule Number	Rule Title
25-4.003	Definitions
25-4.004	Application for Original or Transfer of Certificate of Authority
25-4.0161	Regulatory Assessment Fees; Telecommunications Companies
25-4.020	Location of Records
25-4.0201	Audit Access to Records
25-4.034	Network Access Tariffs
25-4.0341	Filing of Service Schedules
25-4.0665	Lifeline Assistance
25-4.082	Number Portability
25-4.118	Changing of a Subscriber's Telecommunications Service and Preferred Carrier Freeze
25-4.119	Line Information Database Maintenance
25-4.150	The Administrator
25-4.160	Operation of Telecommunications Relay Service
25-4.511	Application for Original or Transfer of Pay Telephone Certificate
25-4.515	Pay Telephone Service

**CHAPTER 25-6
ELECTRIC SERVICE BY ELECTRIC PUBLIC UTILITIES**

Rule Number	Rule Title
25-6.002	Application and Scope
25-6.003	Definitions
25-6.0131	Regulatory Assessment Fees; Investor-owned Electric Companies, Municipal Electric Utilities, Rural Electric Cooperatives
25-6.014	Records and Reports in General
25-6.0141	Allowance for Funds Used During Construction
25-6.0142	Uniform Retirement Units for Electric Utilities
25-6.0143	Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4
25-6.0144	Fair Value of Energy Produced While Testing Electric Generating Units
25-6.015	Location and Preservation of Records
25-6.0151	Audit Access to Records
25-6.016	Maps and Records
25-6.018	Records of Interruptions and Commission Notification of Threats to Bulk Power Supply Integrity or Major Interruptions of Service
25-6.0183	Electric Utility Procedures for Generating Capacity Shortage Emergencies
25-6.0185	Electric Utility Procedures for Long-Term Energy Emergencies
25-6.019	Notification of Events

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT D
2025 REGULATORY PLAN

LIST OF RULES SCHEDULED FOR REVIEW PURSUANT TO SECTION 120.5435, F.S.
SECTION 120.74(1)(E)1.

25-6.020	Record of Applications for Service
25-6.021	Records of Complaints
25-6.022	Record of Metering Devices and Metering Device Tests
25-6.030	Storm Protection Plan
25-6.031	Storm Protection Plan Cost Recovery Clause
25-6.033	Tariffs
25-6.034	Standard of Construction
25-6.0341	Location of the Utility's Electric Distribution Facilities
25-6.0343	Municipal Electric Utility and Rural Electric Cooperative Reporting Requirements
25-6.0345	Safety Standards for Construction of New Transmission and Distribution Facilities
25-6.0346	Quarterly Reports of Work Orders and Safety Compliance
25-6.035	Adequacy of Resources
25-6.037	Extent of Facilities and Equipment That a Utility Must Inspect, Operate, and Maintain
25-6.038	Change in Character of Service
25-6.039	Safety
25-6.040	Grounding of Primary and Secondary Distribution System Circuits
25-6.0423	Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery
25-6.0424	Petition for Mid-Course Correction
25-6.0425	Rate Adjustment Applications and Procedures
25-6.0426	Recovery of Economic Development Expenses
25-6.043	Investor-Owned Electric Utility Petition for Rate Increase; Commission Designee
25-6.0431	Petition for a Limited Proceeding
25-6.0435	Interim Rate Relief
25-6.0436	Depreciation
25-6.04361	Subcategorization of Electric Plant for Depreciation Studies and Rate Design
25-6.04364	Electric Utilities Dismantlement Studies
25-6.04365	Nuclear Decommissioning
25-6.0437	Cost of Service Load Research
25-6.0438	Non-Firm Electric Service - Terms and Conditions
25-6.0439	Territorial Agreements and Disputes for Electric Utilities – Definitions
25-6.044	Continuity of Service
25-6.0440	Territorial Agreements for Electric Utilities
25-6.0441	Territorial Disputes for Electric Utilities
25-6.0442	Customer Participation
25-6.0455	Annual Distribution Service Reliability Report
25-6.046	Voltage Standards

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT D
2025 REGULATORY PLAN

LIST OF RULES SCHEDULED FOR REVIEW PURSUANT TO SECTION 120.5435, F.S.
SECTION 120.74(1)(E)1.

25-6.048	Limiting Connected Load
25-6.049	Measuring Customer Service
25-6.050	Location of Meters
25-6.052	Test Procedures and Accuracies of Consumption Metering Devices
25-6.054	Laboratory Standards
25-6.055	Portable Standards
25-6.056	Metering Device Test Plans
25-6.058	Determination of Average Meter Error
25-6.059	Meter Test by Request
25-6.060	Meter Test – Refereed Dispute
25-6.061	Relocation of Poles
25-6.062	Inspection of Wires and Equipment
25-6.064	Extension of Facilities; Contribution in Aid of Construction
25-6.065	Interconnection and Metering of Customer-Owned Renewable Generation
25-6.074	Applicability
25-6.075	Definitions
25-6.076	Rights of Way and Easements
25-6.077	Installation of Underground Distribution Systems Within New Subdivisions
25-6.078	Schedule of Charges
25-6.080	Advances by Applicant
25-6.093	Information to Customers
25-6.094	Complaints and Service Requests
25-6.095	Initiation of Service
25-6.097	Customer Deposits
25-6.099	Meter Readings
25-6.100	Customer Billings
25-6.101	Delinquent Bills
25-6.102	Conjunctive Billing
25-6.103	Adjustment of Bills for Meter Error
25-6.104	Unauthorized Use of Energy
25-6.105	Refusal or Discontinuance of Service by Utility
25-6.106	Underbillings and Overbillings of Energy
25-6.109	Refunds
25-6.115	Facility Charges for Conversion of Existing Overhead Investor-owned Distribution Facilities
25-6.135	Annual Reports
25-6.1351	Cost Allocation and Affiliate Transactions
25-6.1352	Earnings Surveillance Report
25-6.1353	Forecasted Earnings Surveillance Report
25-6.140	Test Year Notification; Proposed Agency Action Notification

FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT D
2025 REGULATORY PLAN

LIST OF RULES SCHEDULED FOR REVIEW PURSUANT TO SECTION 120.5435, F.S.
SECTION 120.74(1)(E)1.

**CHAPTER 25-7
GAS SERVICE BY GAS PUBLIC UTILITIES**

Rule Number	Rule Title
25-7.003	Definitions
25-7.0131	Regulatory Assessment Fees; Gas Utilities, Gas Municipals, and Gas Districts
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25-9.004	General Filing Instructions
25-9.005	Information to Accompany Filings
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25-9.009	Numbering and General Data Required for Each Sheet
25-9.010	Numbering of Supplements and Additions
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25-9.028	List of Communities Served
25-9.029	Index of Rate or Exchange Schedules
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25-9.044	Change of Ownership
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25-9.069	Standard Forms and Blank Bill Form
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SAFETY OF GAS TRANSPORTATION BY PIPELINE

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25-12.007	Commission Compliance Evaluations
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25-12.022	Requirements for Distribution System Valves
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25-12.027	Welder Qualification
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25-22.081	Contents of Petition
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25-22.091	Contents of Petition
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25-30.011	Application and Scope
25-30.020	Fees Required to be Paid by Water and Wastewater Utilities
25-30.025	Official Date of Filing
25-30.029	Legal Description of Service Area
25-30.030	Notice of Application and of Customer Meeting
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25-30.033	Application for Original Certificate of Authorization and Initial Rates and Charges
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25-30.0371	Acquisition Adjustments
25-30.0372	Alternative Procedure for Establishing Rate Base Value of Acquired Utility System
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25-30.091	Petition to Revoke Water Certificate of Authorization
25-30.110	Records and Reports; Annual Reports
25-30.115	Uniform System of Accounts for Water and Wastewater Utilities
25-30.116	Allowance for Funds Used During Construction
25-30.117	Accounting for Pension Costs
25-30.120	Regulatory Assessment Fees; Water and Wastewater Utilities
25-30.125	System Maps and Records
25-30.130	Record of Complaints
25-30.135	Tariffs, Rules and Miscellaneous Requirements
25-30.140	Depreciation
25-30.145	Audit Access to Records
25-30.210	Definitions
25-30.225	Plant and Facilities
25-30.230	Service Facilities
25-30.231	Extent of System Which Utility Shall Maintain
25-30.235	Safety
25-30.240	Change in Character of Service
25-30.245	Accidents
25-30.250	Continuity of Service
25-30.251	Record and Report of Interruptions
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25-30.260	Meter Installation
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25-30.262	Meter Accuracy Requirements
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25-30.264	Meter Testing Equipment
25-30.265	Periodic Meter Tests
25-30.266	Meter Test by Request

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25-30.310	Initiation of Service
25-30.311	Customer Deposits
25-30.315	Temporary Service
25-30.320	Refusal or Discontinuance of Service
25-30.325	Termination of Service by Customer
25-30.330	Information to Customers
25-30.335	Customer Billing
25-30.340	Adjustment of Bills for Meter Error
25-30.345	Customer Service Charges
25-30.350	Underbillings and Overbillings for Water and Wastewater Service
25-30.351	Unauthorized Use
25-30.355	Complaints
25-30.360	Refunds
25-30.410	Definitions
25-30.415	Return on Common Equity
25-30.420	Establishment of Price Index, Adjustment of Rates; Requirement of Bond; Filings After Adjustment; Notice to Customers
25-30.425	Pass Through Rate Adjustment
25-30.430	Test Year Approval
25-30.431	Used and Useful Consideration
25-30.432	Wastewater Treatment Plant Used and Useful Calculations
25-30.4325	Water Treatment and Storage Used and Useful Calculations
25-30.433	Rate Case Proceedings
25-30.434	Application for Allowance for Funds Prudently Invested (AFPI) Charges
25-30.4345	Notice of Applications for New or Revised Service Availability Charges or Policies and Notice of Applications for Allowance for Funds Prudently Invested (AFPI) Charges
25-30.436	General Information and Instructions Required of Water and Wastewater Utilities in an Application for Rate Increase
25-30.437	Financial, Rate, and Engineering Minimum Filing Requirements for Water and Wastewater Utilities in an Application for Rate Increase
25-30.4415	Additional Information Required in Application for Rate Increase by Utilities Seeking to Recover the Cost of Investment in the Public Interest
25-30.442	Duplicate Information
25-30.444	Utility Reserve Fund
20-30.4445	Notice of Application for Utility Reserve Fund
25-30.445	General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding
25-30.446	Notice of and Public Information for Application for Limited Proceeding Rate Increase
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25-30.455	Staff Assistance in Rate Cases
25-30.456	Staff Assistance in Alternative Rate Setting
25-30.457	Limited Alternative Rate Increase
25-30.4575	Operating Ratio Methodology
25-30.458	Notice of and Public Information for Application for Limited Alternative Rate Increase
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25-30.465	Private Fire Protection Rates
25-30.4705	Calculation of Rate Reduction After Rate Case Expense is Amortized
25-30.475	Effective Date of Approved Tariffs
25-30.510	Applicability
25-30.515	Definitions
25-30.520	Responsibility of Utility to Provide Service
25-30.525	Application for Extension of Service
25-30.530	Response to Applications for Extension of Service Within a Utility's Certificated Territory, Cost Estimates
25-30.540	Agreements for Service, Performance Under Agreements
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25-30.550	Filing of Agreements; Approval of Contracts
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CHAPTER 25-40
EXCEPTIONS TO THE UNIFORM RULES OF PROCEDURE

Rule Number	Rule Title
25-40.001	Exceptions to the Uniform Rules of Procedure

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5 YEAR SCHEDULE FOR REVIEW OF ALL EXISTING RULES AS OF JULY 1, 2025.
SECTION 120.74(1)(E)2.

As of July 1, 2025, the Public Service Commission (Commission) has 433 rules. Accordingly, the Commission plans to review 87 rules in each of the following years: 2025-2026, 2026-2027, 2027-2028, and 2028-2029. In 2029-2030, the Commission will review the remaining 85 rules.

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YEARLY SCHEDULE FOR THE RULES TO BE REVIEWED EACH YEAR.
SECTION 120.74(1)(E)3.

RULES TO BE REVIEWED 7/1/2025 – 6/30/2026

Rule Number	Rule Title
1. 25-4.0161	Regulatory Assessment Fees; Telecommunications Companies
2. 25-4.150	The Administrator
3. 25-4.160	Operation of Telecommunications Relay Service
4. 25-6.003	Definitions
5. 25-6.0131	Regulatory Assessment Fees, Investor-owned Electric Companies, Municipal Electric
6. 25-6.016	Maps and Records
7. 25-6.0183	Electric Utility Procedures for Generating Capacity Shortage Emergencies
8. 25-6.034	Standard of Construction
9. 25-6.0345	Safety Standards for Construction of New Transmission and Distribution Facilities
10. 25-6.043	Investor-Owned Electric Utility Petition for Rate Increase; Commission Designee
11. 25-6.0435	Interim Rate Relief
12. 25-6.049	Measuring Customer Service
13. 25-6.109	Refunds
14. 25-6.115	Facility Charges for Conversion of Existing Overhead Investor-owned Distribution Facilities
15. 25-7.0131	Regulatory Assessment Fees; Gas Utilities, Gas Municipals, and Gas Districts
16. 25-7.040	Interim Rate Relief

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RULES TO BE REVIEWED 7/1/2025 – 6/30/2026

Rule Number	Rule Title
17. 25-7.091	Refunds
18. 25-7.101	Regulatory Assessment Fees; Natural Gas Transmission Companies
19. 25-7.150	Natural Gas Facilities Cost Relocation Cost Recovery Clause
20. 25-9.001	Application and Scope
21. 25-9.002	Definitions
22. 25-9.003	Information to Public
23. 25-9.004	General Filing Instructions
24. 25-9.005	Information to Accompany Filings
25. 25-9.006	Size and Form of Tariffs
26. 25-9.007	Gas – Electric – Water – Wastewater Utility Tariffs
27. 25-9.009	Numbering and General Data Required for Each Sheet
28. 25-9.010	Numbering of Supplements and Additions
29. 25-9.020	Front Cover
30. 25-9.021	Title Page
31. 25-9.022	Table of Contents
32. 25-9.023	Description of Territory Served
33. 25-9.024	Miscellaneous
34. 25-9.025	Technical Terms and Abbreviations
35. 25-9.026	Index of Rules and Regulations

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SECTION 120.74(1)(E)3.

RULES TO BE REVIEWED 7/1/2025 – 6/30/2026

Rule Number	Rule Title
36. 25-9.027	Rules and Regulations
37. 25-9.028	List of Communities Served
38. 25-9.029	Index of Rate or Exchange Schedules
39. 25-9.030	Rate Schedules – General
40. 25-9.031	Electric – Gas – Water – Wastewater Utility Rate Schedules
41. 25-9.033	Standard Forms
42. 25-9.034	Contracts and Agreements
43. 25-9.044	Change of Ownership
44. 25-9.045	Withdrawal of Tariffs
45. 25-9.051	Definitions
46. 25-9.052	General Filing Instructions
47. 25-9.0525	Municipal Surcharge on Customers Outside Municipal Limits
48. 25-9.053	Evaluation of Filings
49. 25-9.054	Size and Form of Documentation
50. 25-9.055	Electric Utility Documentation
51. 25-9.056	Numbering and General Data Required for Each Sheet
52. 25-9.060	Front Cover
53. 25-9.061	Title Page
54. 25-9.062	Table of Contents

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RULES TO BE REVIEWED 7/1/2025 – 6/30/2026

Rule Number	Rule Title
55. 25-9.063	Description of Territory Served
56. 25-9.064	Miscellaneous
57. 25-9.065	List of Communities Served
58. 25-9.066	Index of Rate Schedules
59. 25-9.067	Rate Schedules
60. 25-9.068	Electric Utility Rate Schedules
61. 25-9.069	Standard Forms and Blank Bill Form
62. 25-9.070	Contracts and Agreements
63. 25-9.071	Back Cover
64. 25-12.005	Codes and Standards Adopted
65. 25-12.008	New Reconstructed or Converted Facilities
66. 25-12.027	Welder Qualification
67. 25-12.045	Inactive Gas Service Lines
68. 25-12.052	Corrosion Control Criteria for Cathodic Protection of Buried or Submerged Metallic Pipeline
69. 25-12.100	Penalty
70. 25-30.010	Rules for General Application
71. 25-30.033	Application for Original Certificate of Authorization and Initial Rates and Charges
72. 25-30.037	Application for Authority to Transfer

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RULES TO BE REVIEWED 7/1/2025 – 6/30/2026

Rule Number	Rule Title
73. 25-30.0371	Acquisition Adjustment
74. 25-30.0372	Alternative Procedure for Establishing Rate Base Value of Acquired Utility System
75. 25-30.110	Records and Reports; Annual Reports
76. 25-30.115	Uniform System of Accounts for Water and Wastewater Utilities
77. 25-30.117	Accounting for Pension Costs
78. 25-30.120	Regulatory Assessment Fees; Water and Wastewater Utilities
79. 25-30.140	Depreciation
80. 25-30.255	Measurement of Service for Water Utilities
81. 25-30.360	Refunds
82. 25-30.415	Return on Common Equity
83. 25-30.420	Establishment of Price Index, Adjustment of Rates; Requirement of Bond; Filings After Adjustment; Notice to Customers
84. 25-30.433	Rate Case Proceedings
85. 25-30.434	Application for Allowance for Funds Prudently Invested (AFPI) Charges
86. 25-30.444	Utility Reserve Fund
87. 25-30.445	General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding

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YEARLY SCHEDULE FOR THE RULES TO BE REVIEWED EACH YEAR.
SECTION 120.74(1)(E)3.

RULES TO BE REVIEWED 7/1/2026 – 6/30/2027

	Rule Number	Rule Title
1.	25-4.003	Definitions
2.	25-4.004	Application for Original or Transfer of Certificate of Authority
3.	25-4.020	Location of Records
4.	25-4.0201	Audit Access to Records
5.	25-4.034	Network Access Tariffs
6.	25-4.0341	Filing of Service Schedules
7.	25-4.0665	Lifeline Assistance
8.	25-4.082	Number Portability
9.	25-4.118	Changing of a Subscriber's Telecommunications Service and Preferred Carrier Freeze
10.	25-4.119	Line Information Database Maintenance
11.	25-4.511	Application for Original or Transfer of Pay Telephone Certificate
12.	25-4.515	Pay Telephone Service
13.	25-6.002	Application and Scope
14.	25-6.014	Records and Reports in General
15.	25-6.0141	Allowance for Funds Used During Construction
16.	25-6.0142	Uniform Retirement Units for Electric Utilities
17.	25-6.0143	Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4
18.	25-6.0144	Fair Value of Energy Produced While Testing Electric Generating Units

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RULES TO BE REVIEWED 7/1/2026 – 6/30/2027

	Rule Number	Rule Title
19.	25-6.093	Information to Customer
20.	25-6.094	Complaints and Service Request
21.	25-6.095	Initiation of Service
22.	25-6.097	Customer Deposit
23.	25-6.099	Meter Reading
24.	25-6.100	Customer Billing
25.	25-6.101	Delinquent Bill
26.	25-6.102	Conjunctive Billing
27.	25-6.103	Adjustment of Bills for Meter Error
28.	25-6.104	Unauthorized Use of Energy
29.	25-6.105	Refusal or Discontinuance of Service by Utility
30.	25-6.106	Underbillings and Overbillings of Energy
31.	25-7.003	Definitions
32.	25-7.014	Records and Reports in General
33.	25-7.039	Natural Gas Utility Petition for Rate Increase; Commission Designee
34.	25-8.001	Applicability
35.	25-8.002	Contents of Application

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RULES TO BE REVIEWED 7/1/2026 – 6/30/2027

	Rule Number	Rule Title
36.	25-8.003	Required Exhibits
37.	25-8.004	Additional Information
38.	25-8.005	Form and Style
39.	25-8.006	Number of Copies
40.	25-8.007	Signature; False Statements
41.	25-8.008	Commission Action
42.	25-8.009	Consummation Reports
43.	25-8.010	Omission of Duplicate Information
44.	25-12.004	Definitions
45.	25-12.007	Commission Compliance Evaluations
46.	25-12.009	Safety
47.	25-12.020	Construction Specifications and Inspections
48.	25-12.021	Use of Plastic Pipe
49.	25-12.022	Requirements for Distribution System Valves
50.	25-12.024	Prohibition of Pipelines Under Buildings
51.	25-12.028	Marking of Materials
52.	25-12.029	Limiting Use of Pipeline Casings
53.	25-12.030	Construction Inspection

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RULES TO BE REVIEWED 7/1/2026 – 6/30/2027

	Rule Number	Rule Title
54.	25-12.040	Leak Surveys, Procedures and Classification
55.	25-12.041	Receiving of Gas Leak and Emergency Reports
56.	25-12.042	Investigation of Gas Leak Reports
57.	25-12.043	Gas Service
58.	25-12.044	Interruption of Gas Service
59.	25-12.046	Unauthorized Utilization of Gas Facilities
60.	25-12.050	Facility Identification
61.	25-12.053	Cathodic Protection – Electrical Survey
62.	25-12.054	Cathodic Protection – Location of Reference Half-Cell
63.	25-12.055	Odorization of Gas
64.	25-12.060	General Records
65.	25-12.061	System Maps
66.	25-12.062	Leak Reports
67.	25-12.080	General
68.	25-12.082	Construction Notice
69.	25-12.083	Requalifying Maximum Allowable Operating Pressure
70.	25-12.084	Notice of Accidents and Outages
71.	25-12.085	Written Annual Reports Required
72.	25-12.0861	Response to Commission Staff Inquiries

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RULES TO BE REVIEWED 7/1/2026 – 6/30/2027

	Rule Number	Rule Title
73.	25-14.001	In General
74.	25-14.004	Effect of Parent Debt on Federal Corporate Income Tax
75.	25-14.010	Accounting for Deferred Taxes from Intercompany Profits
76.	25-14.011	Procedures for Processing Ruling Requests to be Filed with the Internal Revenue Service
77.	25-14.012	Accounting for Postretirement Benefits Other Than Pensions
78.	25-14.013	Accounting for Deferred Income Taxes Under SFAS 109
79.	25-14.014	Accounting for Asset Retirement Obligations Under SFAS 143
80.	25-17.001	General Information
81.	25-18.010	Pole Attachment Complaints
82.	25-18.020	Pole Safety, Inspection, Maintenance, and Vegetation Management
83.	25-21.050	Acceptance of Gifts
84.	25-30.011	Application and Scope
85.	25-30.431	Used and Useful Consideration
86.	25-30.432	Wastewater Treatment Plant Used and Useful Calculations
87.	25-30.4325	Water Treatment and Storage Used and Useful Calculations

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RULES TO BE REVIEWED 7/1/2027 – 6/30/2028

	Rule Number	Rule Title
1.	25-6.015	Location and Preservation of Records
2.	25-6.0151	Audit Access to Records
3.	25-6.0185	Electric Utility Procedures for Long-Term Energy Emergencies
4.	25-6.019	Notification of Events
5.	25-6.020	Application and Scope
6.	25-6.021	Records of Complaints
7.	25-6.022	Record of Metering Devices and Metering Device Tests
8.	25-6.030	Storm Protection Plan
9.	25-6.031	Storm Protection Plan Cost Recovery Clause
10.	25-6.033	Tariffs
11.	25-6.0341	Location of the Utility's Electric Distribution Facilities
12.	25-6.0343	Municipal Electric Utility and Rural Electric Cooperative Reporting Requirements
13.	25-6.0346	Quarterly Reports of Work Orders and Safety Compliance
14.	25-6.035	Adequacy of Resources
15.	25-6.037	Extent of Facilities and Equipment That a Utility Must Inspect, Operate, and Maintain
16.	25-6.038	Change in Character of Service
17.	25-6.039	Safety

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RULES TO BE REVIEWED 7/1/2027 – 6/30/2028

Rule Number	Rule Title
18. 25-6.040	Grounding of Primary and Secondary Distribution System Circuits
19. 25-6.0423	Nuclear or Integrated Gasification Combined Cycle Power Plant Cost Recovery
20. 25-6.0424	Petition for Mid-Course Correction
21. 25-6.0425	Rate Adjustment Applications and Procedures
22. 25-6.0426	Recovery of Economic Development Expenses
23. 25-6.0431	Petition for a Limited Proceeding
24. 25-6.0436	Depreciation
25. 25-6.04361	Subcategorization of Electric Plant for Depreciation Studies and Rate Design
26. 25-6.04364	Electric Utilities Dismantlement Studies
27. 25-6.04365	Nuclear Decommissioning
28. 25-6.0437	Cost of Service Load Research
29. 25-6.0438	Non-Firm Electric Service - Terms and Conditions
30. 25-6.0439	Territorial Agreements and Disputes for Electric Utilities – Definitions
31. 25-6.0440	Territorial Agreements for Electric Utilities
32. 25-6.0441	Territorial Disputes for Electric Utilities
33. 25-6.0442	Customer Participation

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RULES TO BE REVIEWED 7/1/2027 – 6/30/2028

	Rule Number	Rule Title
34.	25-6.044	Continuity of Service
35.	25-6.0455	Annual Distribution Service Reliability Report
36.	25-6.046	Voltage Standards
37.	25-6.048	Limiting Connected Load
38.	25-6.050	Location of Meters
39.	25-6.052	Test Procedures and Accuracies of Consumption Metering Devices
40.	25-6.054	Laboratory Standards
41.	25-6.055	Portable Standards
42.	25-6.056	Metering Device Test Plans
43.	25-6.058	Determination of Average Meter Error
44.	25-6.059	Meter Test by Request
45.	25-6.060	Meter Test – Refereed Dispute
46.	25-6.061	Relocation of Poles
47.	25-6.062	Inspection of Wires and Equipment
48.	25-6.064	Extension of Facilities; Contribution in Aid of Construction
49.	25-6.074	Applicability
50.	25-6.075	Definition

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RULES TO BE REVIEWED 7/1/2027 – 6/30/2028

Rule Number	Rule Title
51. 25-6.076	Rights of Way and Easement
52. 25-6.077	Installation of Underground Distribution Systems Within New Subdivision
53. 25-6.078	Schedule of Charges
54. 25-6.080	Advances by Applicant
55. 25-17.0021	Goals for Electric Utilities
56. 25-17.003	Energy Audits
57. 25-17.008	Conservation and Self-Service Wheeling Cost Effectiveness Data Reporting Format
58. 25-17.009	Requirements for Reporting Cost Effectiveness Data for Demand Side Management Programs of Natural Gas Utilities
59. 25-17.015	Energy Conservation Cost Recovery
60. 25-17.080	Definitions and Qualifying Criteria
61. 25-17.082	The Utility's Obligation to Purchase; Customer's Selection of Billing Method
62. 25-17.0825	As-Available Energy
63. 25-17.0832	Firm Capacity and Energy Contracts
64. 25-17.0834	Settlement of Disputes in Contract Negotiations
65. 25-17.0836	Modification to Existing Contracts; Explanation of When Approval Is Required
66. 25-17.0837	Negotiations with Other Utility and Nonutility Generating Facilities
67. 25-17.084	The Utility's Obligation to Sell

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RULES TO BE REVIEWED 7/1/2027 – 6/30/2028

Rule Number	Rule Title
68. 25-17.086	Periods During Which Purchases Are Not Required
69. 25-17.087	Interconnection and Standards
70. 25-17.0883	Conditions Requiring Transmission Service for Self-service
71. 25-17.0889	Transmission Service for Qualifying Facilities
72. 25-17.091	Governmental Solid Waste Energy and Capacity
73. 25-17.200	Application and Scope
74. 25-17.210	Definitions
75. 25-17.220	Qualifying Criteria
76. 25-17.230	The Utility's Obligation to Purchase and Sell
77. 25-17.240	Negotiated Contracts
78. 25-17.250	Standard Offer Contracts
79. 25-17.260	Subscription Limits
80. 25-17.270	Changes in Environmental and Governmental Regulations
81. 25-17.280	Tradable Renewable Energy Credits (TREC's)
82. 25-17.290	Imputed Debt Equivalent Adjustments
83. 25-17.300	Reporting
84. 25-17.310	Dispute Resolution
85. 25-30.455	Staff Assistance in Rate Cases
86. 25-30.456	Staff Assistance in Alternative Rate Setting
87. 25-30.457	Limited Alternative Rate Increases

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RULES TO BE REVIEWED 7/1/2028 – 6/30/2029

	Rule Number	Rule Title
1.	25-6.018	Records of Interruptions and Commission Notification of Threats to Bulk Power Supply Integrity or Major Interruptions of Service
2.	25-6.135	Annual Reports
3.	25-6.1351	Cost Allocation and Affiliate Transactions
4.	25-6.1352	Earnings Surveillance Report
5.	25-6.1353	Forecasted Earnings Surveillance Report
6.	25-6.140	Test Year Notification; Proposed Agency Action Notification
7.	25-7.140	Test Year Notification; Proposed Agency Action Notification
8.	25-30.020	Fees Required to be Paid by Water and Wastewater Utilities
9.	25-30.025	Official Date of Filing
10.	25-30.029	Legal Description of Service Area
11.	25-30.030	Notice of Application and of Customer Meeting
12.	25-30.031	Written Objection
13.	25-30.032	Combined Applications
14.	25-30.034	Application for Original Certificate of Authorization for Existing Utility Currently Charging for Service
15.	25-30.035	Application for Original Certificate of Authorization Following Rescission of Jurisdiction by a County
16.	25-30.036	Application for Amendment to Certificate of Authorization to Extend or Delete Service Area

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RULES TO BE REVIEWED 7/1/2028 – 6/30/2029

Rule Number	Rule Title
17. 25-30.038	Application for Transfer to a Governmental Authority
18. 25-30.039	Notice of Name Change
19. 25-30.050	Municipal or County Franchise Fee
20. 25-30.055	Systems with a Capacity or Proposed Capacity to Serve 100 or Fewer Persons
21. 25-30.090	Abandonments
22. 25-30.091	Petition to Revoke Water Certificate of Authorization
23. 25-30.116	Allowance for Funds Used During Construction
24. 25-30.125	System Maps and Records
25. 25-30.130	Record of Complaints
26. 25-30.135	Tariffs, Rules and Miscellaneous Requirements
27. 25-30.145	Audit Access to Records
28. 25-30.210	Definitions
29. 25-30.225	Plant and Facilities
30. 25-30.230	Service Facilities
31. 25-30.231	Extent of System Which Utility Shall Maintain
32. 25-30.235	Safety
33. 25-30.240	Change in Character of Service
34. 25-30.245	Accidents

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RULES TO BE REVIEWED 7/1/2028 – 6/30/2029

	Rule Number	Rule Title
35.	25-30.250	Continuity of Service
36.	25-30.251	Record and Report of Interruptions
37.	25-30.260	Meter Installation
38.	25-30.261	Meter Readings
39.	25-30.262	Meter Accuracy Requirements
40.	25-30.263	Meter Test Methods
41.	25-30.264	Meter Testing Equipment
42.	25-30.265	Periodic Meter Tests
43.	25-30.266	Meter Test by Request
44.	25-30.267	Record of Meter Tests
45.	25-30.310	Initiation of Service
46.	25-30.311	Customer Deposits
47.	25-30.315	Temporary Service
48.	25-30.320	Refusal or Discontinuance of Service
49.	25-30.325	Termination of Service by Customer
50.	25-30.330	Information to Customers
51.	25-30.335	Customer Billing
52.	25-30.340	Adjustment of Bills for Meter Error

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RULES TO BE REVIEWED 7/1/2028 – 6/30/2029

Rule Number	Rule Title
53. 25-30.345	Customer Service Charges
54. 25-30.350	Underbillings and Overbillings for Water and Wastewater Service
55. 25-30.351	Unauthorized Use
56. 25-30.355	Complaints
57. 25-30.410	Definitions
58. 25-30.425	Pass Through Rate Adjustment
59. 25-30.430	Test Year Approval
60. 25-30.4345	Notice of Applications for New or Revised Service Availability Charges or Policies and Notice of Applications for Allowance for Funds Prudently Invested (AFPI) Charges
61. 25-30.436	General Information and Instructions Required of Water and Wastewater Utilities in an Application for Rate Increase
62. 25-30.437	Financial, Rate, and Engineering Minimum Filing Requirements for Water and Wastewater Utilities in an Application for Rate Increase
63. 25-30.4415	Additional Information Required in Application for Rate Increase by Utilities Seeking to Recover the Cost of Investment in the Public Interest
64. 25-30.442	Duplicate Information
65. 20-30.4445	Notice of Application for Utility Reserve Fund
66. 25-30.446	Notice of and Public Information for Application for Limited Proceeding Rate Increase
67. 25-30.450	Burden of Proof and Audit Provisions
68. 25-30.4575	Operating Ratio Methodology

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RULES TO BE REVIEWED 7/1/2028 – 6/30/2029

Rule Number	Rule Title
69. 25-30.458	Notice of and Public Information for Application for Limited Alternative Rate Increase
70. 25-30.460	Application for Miscellaneous Service Charges
71. 25-30.465	Private Fire Protection Rates
72. 25-30.4705	Calculation of Rate Reduction After Rate Case Expense is Amortized
73. 25-30.475	Effective Date of Approved Tariffs
74. 25-30.510	Applicability
75. 25-30.515	Definitions
76. 25-30.520	Responsibility of Utility to Provide Service
77. 25-30.525	Application for Extension of Service
78. 25-30.530	Response to Applications for Extension of Service Within a Utility's Certificated Territory, Cost Estimates
79. 25-30.540	Agreements for Service, Performance Under Agreements
80. 25-30.545	Construction
81. 25-30.550	Filing of Agreements; Approval of Contracts
82. 25-30.555	Guaranteed Revenue Agreements
83. 25-30.560	Disputes
84. 25-30.565	Application for Approval of New or Revised Service Availability Policy or Charges
85. 25-30.570	Imputation of Contributions-in-Aid-of-Construction
86. 25-30.580	Guidelines for Designing Service Availability Policy

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RULES TO BE REVIEWED 7/1/2028 – 6/30/2029

	Rule Number	Rule Title
87.	25-30.585	Developer Service Availability Charges

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SECTION 120.74(1)(E)3.

RULES TO BE REVIEWED 7/1/2029 – 6/30/2030

	Rule Number	Rule Title
1.	25-6.065	Interconnection and Net Metering of Customer-Owned Renewable Generation
2.	25-7.0141	Allowance for Funds Used During Construction
3.	25-7.0143	Use of Accumulated Provision Accounts 228.1, 228.2, and 228.4
4.	25-7.015	Location and Preservation of Records
5.	25-7.0151	Audit Access to Records
6.	25-7.018	Record of Interruptions
7.	25-7.019	Record of Applications for Service
8.	25-7.020	Record of Complaints
9.	25-7.021	Records of Meters and Meter Tests
10.	25-7.022	Customer Account Records
11.	25-7.033	Tariffs
12.	25-7.0335	Transportation Service
13.	25-7.037	Change in Character of Service
14.	25-7.0391	Petition for a Limited Proceeding
15.	25-7.042	Recovery of Economic Development Expenses
16.	25-7.045	Depreciation
17.	25-7.046	Subcategories of Gas Plant for Depreciation
18.	25-7.0461	Capitalization Versus Expensing

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SECTION 120.74(1)(E)3.

RULES TO BE REVIEWED 7/1/2029 – 6/30/2030

	Rule Number	Rule Title
19.	25-7.047	Territorial Agreements and Disputes for Natural Gas Utilities – Definitions
20.	25-7.0471	Territorial Agreements for Natural Gas Utilities
21.	25-7.0472	Territorial Disputes for Natural Gas Utilities
22.	25-7.0473	Customer Participation
23.	25-7.048	Continuity of Service
24.	25-7.049	Testing Equipment
25.	25-7.050	Pressure Requirements
26.	25-7.053	Purity of Gas
27.	25-7.054	Extension of Facilities
28.	25-7.057	Temporary Service
29.	25-7.058	Resale
30.	25-7.059	Use of Meters
31.	25-7.060	Location of Meters and Associated Appurtenances
32.	25-7.061	Meter Testing Equipment
33.	25-7.062	Meter Testing Methods
34.	25-7.063	Meter Accuracy at Installation
35.	25-7.064	Meter Testing for Accuracy
36.	25-7.065	Meter Test by Request
37.	25-7.066	Meter Test – Refereed Disputes

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RULES TO BE REVIEWED 7/1/2029 – 6/30/2030

	Rule Number	Rule Title
38.	25-7.070	Sealing Meters
39.	25-7.071	Measuring Customer Service
40.	25-7.072	Code of Conduct
41.	25-7.079	Information to Customers
42.	25-7.080	Complaints – Service Requests
43.	25-7.081	Initiation of Service
44.	25-7.083	Customer Deposits
45.	25-7.084	Meter Readings
46.	25-7.085	Customer Billing
47.	25-7.0851	Underbillings and Overbillings
48.	25-7.0852	Unauthorized Use
49.	25-7.086	Conjunctive or Cumulative Billing
50.	25-7.087	Adjustment of Bills for Meter Error
51.	25-7.088	Termination of Service by Customer
52.	25-7.089	Refusal or Discontinuance of Service by Utility
53.	25-7.090	Delinquent Bills
54.	25-7.100	Annual Report
55.	25-7.135	Annual Reports
56.	25-7.1352	Earnings Surveillance Report

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SECTION 120.74(1)(E)3.

RULES TO BE REVIEWED 7/1/2029 – 6/30/2030

Rule Number	Rule Title
57. 25-7.1353	Forecasted Earnings Surveillance Report
58. 25-22.001	Notice of Meeting or Workshop
59. 25-22.0021	Agenda Conference Participation
60. 25-22.0022	Oral Argument Rule
61. 25-22.006	Confidential Information
62. 25-22.029	Point of Entry Into Proposed Agency Action Proceedings
63. 25-22.030	Injunctions
64. 25-22.032	Customer Complaints
65. 25-22.036	Initiation of Formal Proceedings
66. 25-22.0365	Expedited Dispute Resolution Process for Telecommunications Companies
67. 25-22.0376	Reconsideration of Non-Final Orders
68. 25-22.0405	Notices of Hearing
69. 25-22.0406	Notice and Public Information on General Rate Increase Requests and Petitions for Limited Proceedings by Electric and Gas Utilities
70. 25-22.0407	Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities
71. 25-22.045	Subpoenas
72. 25-22.060	Motion for Reconsideration of Final Orders
73. 25-22.061	Stay Pending Judicial Review
74. 25-22.070	Ten-Year Site Plans – Definitions

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YEARLY SCHEDULE FOR THE RULES TO BE REVIEWED EACH YEAR.
SECTION 120.74(1)(E)3.

RULES TO BE REVIEWED 7/1/2029 – 6/30/2030

Rule Number	Rule Title
75. 25-22.071	Submission and Review of the Ten-Year Site Plans
76. 25-22.072	Contents of Ten-Year Site Plans
77. 25-22.075	Transmission Line Permitting Proceedings
78. 25-22.076	Contents of Petition
79. 25-22.080	Electrical Power Plant Permitting Proceedings
80. 25-22.081	Contents of Petition
81. 25-22.082	Selection of Generating Capacity
82. 25-22.090	Natural Gas Transmission Pipeline Permitting Proceedings
83. 25-22.091	Contents of Petition
84. 25-22.108	Change of Regulated Utility Contact Information
85. 25-40.001	Exceptions to the Uniform Rules of Procedure

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FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT G
2025 REGULATORY PLAN

DESIRED UPDATES TO 2024 REGULATORY PLAN
SECTION 120.74(1)(F)

As Section 120.5435, Florida Statutes, only became effective July 1, 2025, the Commission did not identify any rules requiring review in its 2024 Regulatory Plan. Accordingly, there are no rules that the Commission had identified in its 2024 Regulatory Plan as requiring review for which the agency has not yet completed that review.

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FLORIDA PUBLIC SERVICE COMMISSION
ATTACHMENT H
2025 REGULATORY PLAN

DESIRED UPDATES TO 2024 REGULATORY PLAN
SECTION 120.74(1)(G)1.

Section 120.74(1)(g)1., Florida Statutes, requires that beginning October 1, 2025, each agency issuing licenses in accordance with Section 120.60, Florida Statutes, shall track the agency's compliance with the licensing timeframes established by Section 120.60.

Pursuant to Section 120.80(13)(c), Florida Statutes, the Florida Public Service Commission is exempt from the timeframes established in Section 120.60, Florida Statutes. Accordingly, the Commission has nothing to list.

State of Florida



Public Service Commission
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-M-E-M-O-R-A-N-D-U-M-

DATE: August 28, 2025

TO: Braulio L. Baez, Executive Director

FROM: David Frank, Director, Office of External Affairs

RE: Draft Assessment and Recommendations of Reporting and Statutory Requirements Related to Telecommunications by the FPSC Efficiency Committee
CRITICAL INFORMATION: Please place on the calendar for the September 4, 2025, Internal Affairs meeting.
Commission direction is sought

The Florida Public Service Commission Efficiency Committee has assessed select telecommunications reporting requirements and statutory provisions overseen by the agency. This initiative supports the Legislature's broader goal of increasing government efficiency by identifying opportunities to reduce redundancy, simplify statutory reporting, and align regulatory requirements with current industry conditions.

The Efficiency Committee's findings are presented in two parts

Part I evaluates four annual telecommunications reports. It recommends consolidating the Competition and Lifeline Reports, eliminating the RAF Report requirement, and retaining the Relay Report in its current form.

Part II reviews the statute governing pay telephone service providers. Based on current market conditions and the Commission's oversight role, the Committee recommends no statutory changes to s. 364.3375, F.S. at this time.

Next Steps

The Commission may direct the Efficiency Committee to transmit this memorandum to the Chairs and staff of the House and Senate committees with jurisdiction over the Commission to inform potential legislative action. The Commission may also direct the Committee to further investigate any of the statutory sections considered in its findings.

cc: Adria Harper, General Counsel
Apryl Lynn, Deputy Executive Director, Administrative
Mark Futrell, Deputy Executive Director, Technical

Assessment of Reporting and Statutory Requirements Related to Telecommunications FPSC Efficiency Committee

Introduction

As part of an effort to support the Florida Legislature in its broader goal of increasing government efficiency, this memorandum provides an assessment of select telecommunications reporting and statutory provisions overseen by the Florida Public Service Commission (FPSC). This review was conducted by the FPSC Efficiency Committee, which was established to identify opportunities to improve efficiency, whether by streamlining processes, reducing redundancy, minimizing costs, or enhancing overall performance. This review was also informed by findings from the 2024 Performance Audit of Commission Reports conducted by the Office of Inspector General, which evaluated the use, efficiency, and effectiveness of FPSC-issued reports.

This review is presented in two parts:

- **Part I** examines four annual telecommunications reports to determine whether they continue to provide meaningful value in the current telecommunications environment and whether opportunities exist for consolidation or elimination.
- **Part II** provides a focused statutory review of pay telephone regulation under s. 364.3375, F.S., including its ongoing relevance based on current industry conditions.

Part I: Telecommunications Reporting Review

Reports Assessed:

1. Status of Competition in the Telecommunications Industry, s. 364.386, F.S.
2. Efforts of the Florida Public Service Commission to Reduce the Regulatory Assessment Fee for Telecommunications Companies, s. 364.336, F.S.
3. Florida Lifeline Assistance, s. 364.10, F.S.
4. Status of the Telecommunications Access System Act of 1991, s. 427.704, F.S.

Findings:

1. Status of Competition in the Telecommunications Industry

Background

In 1995, the Legislature found that the competitive provision of telecommunications services was in the public interest and amended the Commission's authority over local exchange companies. The Legislature required the Commission to submit a report annually on the status

of competition, including the impact on service availability, reliability and rates (s. 364.386, F.S.) to the President of the Senate, the Speaker of the House of Representatives, and the majority and minority leaders of the Senate and the House of Representatives.

In 2011, when the Legislature deregulated the telecommunications market, the reporting requirement was narrowed in scope to address the availability and reliability of service provided by the competitive market. For several years, the Competition Report has consistently confirmed a mature and competitive market dominated by wireless and VoIP services, with wireline services decreasing by 95 percent since 2001. The report also includes information on federal and state activities and new developments in the industry that affect telecommunications providers and customers in Florida, as well as brief updates on Lifeline and Relay services.

Findings

Following the Legislature's decision to deregulate the industry in 2011, it can be inferred that competition was considered successfully established, leading to a narrowing of the report's scope. The report continues to provide useful information for policymakers on market conditions and emerging trends. However, opportunities may exist to consider a broader approach that combines related updates, such as Lifeline participation information, into a single comprehensive publication on the status of telecommunications services in Florida. This could help reduce duplication and present policymakers with a more unified view of market trends and evolving issues affecting providers and consumers.

2. Efforts to Reduce the Regulatory Assessment Fee for Telecommunications Companies

Background

Adopted when the Legislature deregulated telecommunications services in 2011, s. 364.336(3), F.S., requires the Commission to report each year to the Governor, President of the Senate, and Speaker of the House of Representatives, providing a detailed description of its efforts to reduce Regulatory Assessment Fees (RAFs) for telecommunications providers. The RAF Report must provide a detailed description of activities that are no longer required; the commensurate reduction in associated costs; the regulatory activities that continue to be required; and the associated costs of those activities.

To develop the initial framework for identifying potential reductions, the Commission engaged an outside consultant. Since then, the Commission has reported on its actions to reduce RAFs consistent with a smaller telecommunications workload. The content of the report has remained relatively static in recent years, largely documenting past efforts to reduce operating expenses and allocate staffing accordingly. The report's conclusion has consistently been that the RAF and staffing levels are right-sized for the Commission's current regulatory responsibilities.

Findings

The report's content has become static, focusing on previously implemented cost-reduction measures and reaffirming that RAFs and staffing levels remain appropriate for the Commission's

reduced telecommunications oversight. As the original purpose of the report appears to have been met, its continued value as a recurring annual requirement may warrant reconsideration.

3. Florida Lifeline Assistance

Background

Section 364.10(2)(g), F.S., requires the Commission to prepare an annual report on the number of customers who are subscribing to Lifeline and the effectiveness of procedures to promote participation. The Lifeline Report is to be delivered to the Governor, President of the Senate, and Speaker of the House of Representatives. Beyond those mandated topics, the report addresses customer eligibility, the application process, service standards, changes and reforms to the program, and funding distribution. The report also serves to highlight PSC actions to expand the number of carriers offering Lifeline, and efforts to minimize waste, fraud, and abuse within the program.

Lifeline is a federal program designed to assist low-income customers to obtain telecommunications service by providing a discount on bills. Florida once had its own state program requiring telecommunications companies to provide an additional Lifeline discount to bills. That state program has since been discontinued. The Commission was also once tasked with verifying eligibility for Lifeline; however, in 2016 the FCC established a national verifier and states no longer have a role in signing customers up for Lifeline. While the Lifeline Report continues to provide subscriber numbers and describes efforts to promote Lifeline, the Commission's role in administering the Lifeline program has decreased considerably from when the report was initially required.

Findings

The report continues to provide subscriber numbers and describes outreach efforts to promote Lifeline as required by Statute, along with other information pertinent to Lifeline. However, information on participation and eligibility is also reported elsewhere, including in the Competition Report. With Florida's role in administering the program now limited, opportunities may exist to consolidate Lifeline updates within a broader telecommunications report.

4. Status of the Telecommunications Access System Act of 1991

Background

Section 427.704(9), F.S., requires the Commission to prepare an annual report on the telecommunications access system and post it on our website. The Relay Report provides operational, financial, and outreach data related to relay services and the distribution of specialized telecommunications devices through the administrator, Florida Telecommunications Relay, Inc. (FTRI). The Legislature also required the Commission to report any proposals for improvement or changes to the system.

The Commission continues to have a significant role over the telecommunications access system, including approval of the annual budget of the administrator and the surcharge paid by local exchange carriers.

Findings

The Relay Report remains relevant given the Commission's ongoing direct oversight of the telecommunications access system. No changes appear necessary at this time.

Part I Conclusion

In evaluating the continued need for each of the reports above, consideration was given to the original intent of each report and whether that purpose has been achieved, or whether current market conditions suggest the need for a revised focus or reporting approach. The Relay Report appears to remain relevant in its current form, given the Commission's ongoing role in overseeing the telecommunications access system. Accordingly, no changes appear necessary at this time.

The original purpose of the Competition Report was to track the impacts of the Legislature's 1995 efforts to introduce competition in the industry. Since the Legislature moved to deregulate the industry in 2011, it could be inferred that competition was viewed as sufficiently established. While tracking the progress of competition may no longer be essential, the report continues to offer valuable insight into market trends and developments. It may be worth considering whether the report's scope should be broadened to reflect the overall status of the telecommunications industry in Florida, including evolving issues affecting providers and customers. Similarly, given the Commission's reduced role in Lifeline administration, the need for a separate Lifeline Report may be diminished. Since a brief update on Lifeline is included in the Competition Report, that section could simply be expanded to include any information necessary to report on Lifeline subscribers, promotional activity, and changes to the federal program that impact Florida.

With respect to the RAF Report, the original objective of aligning fees and staffing with the Commission's current regulatory responsibilities appears to have been accomplished. The report's content has remained relatively unchanged in recent years, with a consistent focus on past cost reduction measures. Moving forward, it may be appropriate to consider whether future updates could be incorporated into a revised Competition Report.

Statutory Implementation Considerations

To implement the potential changes identified in this review, the Legislature could consider the following statutory revisions:

1. Consolidation of the Competition and Lifeline Reports

Current Requirements

- Section 364.386, F.S. requires the Commission to submit a report on the status of competition in the telecommunications industry by August 1 each year.

- Section 364.10(2)(g), F.S. requires the Commission to submit a report on Lifeline participation and promotional procedures by December 31 each year.

Proposed Implementation

To reduce duplication and streamline reporting, the Legislature may consider amending both statutes to consolidate the reports into a single, comprehensive telecommunications report.

- The consolidated report would be governed by s. 364.386, F.S. The revised reporting requirement would remove existing requirements to answer specific questions related to market competition, and would be replaced by broader requirements to report on the status of the telecommunications market in Florida. The requirement to report on Lifeline participation and outreach information found in s. 364.10(2)(g), F.S., could be revised to require that information be included in the report submitted pursuant to 364.386, F.S.
- The due date for the unified report could be changed to October 1. This would provide the Commission with additional time to collect, verify, and analyze relevant data while still ensuring that the Legislature receives the information in advance of the regular legislative session.
- The title and framing of the report under s. 364.386, F.S., could be broadened to reflect a more comprehensive review of the telecommunications industry.

Amend s. 364.386, F.S. to:

- Revise the report's title to reflect a broader review of the telecommunications industry.
- Change the report's due date from August 1 to October 1.

Amend s. 364.10(2)(g), F.S. to:

- Remove the standalone Lifeline reporting requirement, and instead reference s. 364.386, F.S. as the location of the unified reporting obligation.

2. Elimination of the RAF Report Requirement

Current Requirements

- Section 364.336(2), F.S., requires the Commission to initiate rulemaking by August 1, 2011, to adjust the RAF to reflect reduced regulatory activity resulting from the 2011 statutory amendments.
- Section 364.336(3), F.S. requires the Commission to submit an annual report by January 15 detailing its efforts to reduce the Regulatory Assessment Fee (RAF) for

telecommunications providers. The report must describe regulatory activities that have been eliminated, associated cost savings, and ongoing regulatory activities and their costs.

Proposed Implementation

To reflect current regulatory practices and eliminate potentially outdated requirements, the Legislature may consider repealing both subsections (2) and (3) of s. 364.336, F.S.

- Subsection (2) may be repealed as a conforming revision. This provision directed a one-time rulemaking to implement RAF reductions following the 2011 statutory amendments. The directive has long since been fulfilled, and the provision is now obsolete. Repeal would remove any ambiguity regarding its applicability.
- Subsection (3) may be repealed to eliminate the requirement for an annual report on efforts to reduce RAFs. This requirement was enacted in 2011 to support transparency during a period of deregulation. The original policy objective has since been achieved, and ongoing reporting has become static.
- If continued transparency is desired, information on RAF trends and resource allocation could be included in the proposed consolidated telecommunications report governed by s. 364.386, F.S., eliminating the need for a standalone report.

Amend s. 364.336, F.S. to:

- Repeal subsection (3) to eliminate the annual RAF reporting requirement.
- Repeal subsection (2) as a conforming change, recognizing that the required rulemaking has been completed and is no longer applicable.

Part II: Statutory Review — Pay Telephone Service Providers

Statute Reviewed: s. 364.3375, F.S.

This statute outlines regulatory requirements for pay telephone service providers, including certification, technical and consumer service standards, emergency call access, and public disclosure obligations.

Market Context

According to the 2024 Competition Report, the number of payphones in Florida continues to decline. Payphones account for a very small portion of the state’s telecommunications infrastructure and are no longer a primary means of public access to communication. In 2004, the largest payphone provider at the time, BellSouth (AT&T Florida), exited the payphone market in Florida. Currently, there are only 20 certificated payphone companies in Florida. This compares to approximately 113 in 2010. Of the 20 certificated payphone companies, half advertise their service to correctional facilities. While exact number of payphones in service in Florida is not available, most are likely located in correctional institutions.

Alignment with Public Policy Goals

The original public interest justifications—such as ensuring emergency access in public places—are largely outdated in light of widespread mobile phone use. Given the shift in usage patterns and the specialized nature of remaining installations (e.g., correctional facilities), it may be surmised that the need for a specific regulatory regime for payphones is outdated and could be repealed in its entirety. However, payphone companies are still providing telecommunications service in coordination with the telecommunications network and still consume numbering resources. If the specific payphone regulations were repealed, we would be left with a regulatory gap with no oversight of specific companies in the market.

Since payphone companies are still telecommunications providers, repealing s. 364.3375, F.S., without further action could result in payphone providers defaulting to classification as Competitive Local Exchange Carriers (CLECs). This would subject them to broader regulatory requirements and potentially higher RAFs—an outcome that may not align with the limited scope and scale of modern payphone operations.

Findings

The current regulatory framework for payphone companies appears appropriate for the service they provide and aligns with the Commission’s oversight responsibilities.

Part II Conclusion

The statute governing pay telephone providers (s. 364.3375, F.S.) applies to a declining segment of the market, now largely limited to specialized facilities such as correctional institutions. However, this review finds that the current regulatory framework remains appropriate for the services provided and consistent with the Commission’s oversight responsibilities, and no statutory changes appear necessary at this time.

II. Outside Persons Who Wish to Address the Commission at Internal Affairs

Note: The records reflect that no outside persons addressed the Commission at this Internal Affairs meeting.

III. Supplemental Materials for Internal Affairs

Note: The records reflect that there were no supplemental materials provided to the Commission during this Internal Affairs meeting.

IV. Transcript

1 BEFORE THE
2 FLORIDA PUBLIC SERVICE COMMISSION

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4
5
6
7 PROCEEDINGS: INTERNAL AFFAIRS

8 COMMISSIONERS
9 PARTICIPATING: CHAIRMAN MIKE LA ROSA
10 COMMISSIONER ART GRAHAM
11 COMMISSIONER GARY F. CLARK
12 COMMISSIONER ANDREW GILES FAY
13 COMMISSIONER GABRIELLA PASSIDOMO

14 DATE: Thursday, September 4, 2024

15 TIME: Commenced: 11:30 a.m.
16 Concluded: 12:20 a.m.

17
18 PLACE: Betty Easley Conference Center
19 Room 105
20 2524 Shumard Oak Boulevard
21 Gerald L. Gunter Building
22 Tallahassee, Florida

23 REPORTED BY: DEBRA R. KRICK
24 Court Reporter and
25 Notary Public in and for
 the State of Florida at Large

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1 P R O C E E D I N G S

2 CHAIRMAN LA ROSA: Awesome. Ready to go?
3 It's quiet, so it seems like it's ready to get
4 started.

5 Well, good morning still, everybody. Today is
6 September 4th. This is our Internal Affairs
7 meeting here at the Florida Public Service
8 Commission.

9 One of the most important things I believe we
10 do here at the Commission is recognize our Employee
11 of the Month. So this month is Marissa Ramos.
12 Marissa, is she here? She is.

13 (Applause.)

14 CHAIRMAN LA ROSA: Marissa is our employee of
15 the month for August, right, so we are a little
16 bit --

17 MR. BAEZ: In arrears.

18 CHAIRMAN LA ROSA: -- off on timing. She's
19 been here at the PSC since 2016. Joined the
20 Division of Engineering right before the pandemic
21 hit. As much, she is faced with three immediate
22 challenges, not only were she and her work -- or
23 her staff working remotely, she was also learning
24 how to be a supervisor in a new division with a new
25 group of co works. Marissa embraced these tasks

1 with vigor and with enthusiasm.

2 Last year, she was promoted to Bureau Chief --
3 congratulations -- another new and exciting
4 challenge that she tackled with her infectious
5 energy. She is proven a steady and solid employee,
6 who has been very well respected here at the PSC by
7 her peers.

8 So, again, congratulations, and if you all
9 don't mind just offering her a round of applause
10 for her hard work.

11 (Applause.)

12 CHAIRMAN LA ROSA: So if you heard a little
13 bit of music, and you were wondering what that is.
14 I know I was asked, and I had to go back and
15 refresh my memory of the song that was playing. I
16 saw Gary jamming out there in the corner. This
17 month's song is Harder, Better, Faster, Stronger,
18 by Daft Punk. You might have heard this in some
19 other renditions recently, but we decided to go
20 with the original version. Adam -- where is Adam?
21 There he is there, and Tom Ballinger, were the ones
22 that had recommended this, I hope that's correct
23 and that's accurate. Thank you guys for
24 participating or not participating and being, but
25 thank you all. So that's always fun to recognize.

1 We are doing a lot today. I felt like that
2 was kind of appropriate. We are trying to always
3 work better, faster, trying to get a little bit
4 stronger, right. So certainly hopefully reflects
5 the workload that's before us.

6 So all the fun and games are out of the way,
7 let's jump right into our 2025 Regulatory plan.

8 MS. SAPOZNIKOFF: Good morning. I am Susan
9 Sapoznikoff with the Office of General Counsel.

10 Pursuant to Section 120.74, Florida Statutes,
11 by October 1st, for the Regulatory Plan, the
12 Commission must submit its regulatory plan to the
13 Joint Administrative Procedures Committee, which I
14 will later refer to as JAPC, publish its Regulatory
15 Plan on the commission's website, and publish a
16 Notice of the Regulatory Plan in the Florida
17 Administrative Register.

18 Historically, the Regulatory Plan, which the
19 Commission is required to do, has identified rules
20 which will be required to do rulemaking, and rules
21 for which the Commission has anticipated doing
22 rulemaking in the coming year. That information is
23 contained in Attachment A, beginning at page one of
24 the packet, and Attachment B, beginning on page
25 seven of the packet respectively.

1 In the 2025 legislative session, the
2 Legislatures substantially amended the requirements
3 for Regulatory Plan. A notable change to the
4 statute requires the Regulatory Plan must now also
5 set forth the agency's five-year plan to review all
6 of its rules, and indicate which rules it will
7 review in each of those five years. That
8 information is contained in Attachment E, beginning
9 on page 23 of the packet, and Attachment F,
10 beginning on page 24 of the packet respectively.

11 The Regulatory Plan must also contain a
12 certification executed by both the Chairman and the
13 General Counsel verifying that they have reviewed
14 the Regulatory Plan, and that it fulfills the
15 statutory requirements. The JAPC certification
16 letter is immediately behind the cover memorandum
17 for this item.

18 The Office of General Counsel will work with
19 the Chairman's office to comply timely with the
20 statutory requirements for filing of our Regulatory
21 Plan. Staff seeks approval of the Commission's
22 2025 Regulatory Plan, which is comprised of the
23 JAPC certification letter and its Attachments A
24 through H, all of which are included with this
25 item. We request administrative authority to

1 correct any scrivener's errors that should be
2 necessary.

3 Staff is available for questions.

4 CHAIRMAN LA ROSA: Great. Thank you.
5 Commissioners?

6 So one of the questions I was going to ask was
7 how the legislative changes affected us, but you
8 pointed that out on page 23 and page 24.

9 Any other questions, Commissioners?

10 Do I need to take an official vote on this to
11 accept the draft?

12 Okay. Commissioners, open for a motion on
13 accepting the Regulatory Plan.

14 COMMISSIONER CLARK: Move to approve the
15 Regulatory Plan as presented, Mr. Chairman.

16 COMMISSIONER GRAHAM: Second.

17 COMMISSIONER FAY: Second.

18 CHAIRMAN LA ROSA: Hearing a motion and
19 hearing a second hearing and a second and third
20 sounded like there.

21 All those in favor signify by saying yay.
22 (Chorus of yays.)

23 CHAIRMAN LA ROSA: Yay.

24 Opposed no?

25 (No response.)

1 CHAIRMAN LA ROSA: Show that the draft is
2 allowed to moved forward.

3 MS. SAPOZNIKOFF: Thank you so much. And I
4 just want -- all of the divisions have been so
5 helpful in getting our five-year plan put together.

6 CHAIRMAN LA ROSA: Awesome. Thank you.

7 Next up, I would like to recognize Mr. Franks
8 to come, and he will be able to, I am assuming, be
9 able to present to us some of the work that the
10 Efficiency Team -- I'm making sure I wasn't
11 supposed to do it -- the Efficiency Team has been
12 working on. And, Commissioners, I will just kind
13 of talk openly.

14 Obviously, this was a priority for me to
15 really just kind of create a conduit or an avenue
16 for us, as a commission, to make it as part of the
17 normal practice. Although, I do believe this is
18 something we are doing, you know, have been talking
19 to Mr. Baez, you know, throughout my chairmanship,
20 and obviously before that. It is something that we
21 have done here within the Commission. We are
22 always looking at what we can do to improve. I
23 wanted to kind of bring that to the forefront and
24 to kind of make it an official process, and really,
25 of course, we talked about that in Internal

1 Affairs. That's what the Efficiency Team is
2 designed to do, and designed to set up.

3 And really my hope is that it has a broad
4 enough perspective that we can go dig into certain
5 items in certain areas as time goes on, and, of
6 course, the next Chairman can use it however they
7 feel necessary.

8 So, you know, our first task this year was
9 looking at what can -- what's in front of us that
10 we can maybe go look just deeper into as far as
11 recommendations based on what we have heard the
12 legislative -- the Legislature say this year in
13 this past session, are there things in our process
14 that we can maybe make more efficient, and I
15 believe we have identified some.

16 So I don't want to take all of your thunder,
17 but I will allow Mr. Franks to talk a little bit
18 more about the work that we have been doing and
19 present what some of the findings have been from
20 where we are.

21 MR. FRANKS: Thank you, Chairman. Good
22 morning, Commissioners.

23 The Efficiency Committee has completed its
24 first review, which was conducted in two parts.
25 Part one evaluated four annual telecommunications

1 reports required by statute, with the goal of
2 identifying opportunities of streamlined reporting
3 and ensure alignment with current industry
4 conditions. Part two reviewed the statute
5 governing pay telephones to assess whether it
6 continues to meet the Legislature's original
7 purpose in today's market.

8 Beginning with the reports, the committee
9 reviewed the status of the Telecommunications
10 Access System Act, or TASA. Given the Commission's
11 direct oversight approving both the administrator's
12 budget and surcharge, the committee finds this
13 report remains essential and recommends no changes
14 at this time.

15 The committee also reviewed the Status of
16 Competition in the Telecommunications Industry
17 Report and the Florida Lifeline Assistance Report.
18 While the competition only includes a brief update
19 on Lifeline, the two reports do touch on common
20 subject matter regarding the telecommunications
21 industry.

22 Also, given the Commission's reduced role in
23 Lifeline, the need for a separate Lifeline Report
24 may be diminished. The committee has, therefore,
25 identified an opportunity to consolidate them into

1 a single, broader Telecommunications Report. This
2 approach would streamline the Commission's
3 reporting processes and provide the Legislature
4 with a single consolidated report for a more
5 efficient review of the telecommunications
6 industry.

7 Finally, the committee reviewed the Regulatory
8 Assessment Fee Report. The original objective of
9 aligning fees and staffing with the Commission's
10 current regulatory responsibilities appears to have
11 been accomplished. The report's content has he
12 remained relatively unchanged in recent years, with
13 the consistent focus on past cost reduction
14 measures. The committee has identified an
15 opportunity to eliminate this reporting
16 requirement, which the Commission may wish to
17 present to the Legislature for consideration.

18 Turning to part two of the review, pay
19 telephones. Usage has declined sharply and is now
20 mostly limited to correctional facilities. While
21 the original public interest need has significantly
22 diminished, repealing the statute could result in
23 pay phone providers defaulting the classification
24 as competitive local exchange carriers now come
25 back -- may not align with the limited scope and

1 scale of today's pay phone operations. For this
2 reason, the committee finds the current framework
3 appropriate and recommends no changes.

4 In summary, the committee's review supports
5 retaining the Relay report as is, consolidating the
6 Competition in Lifeline Reports, eliminating the
7 RAF Report and maintaining the Commission's current
8 regulatory oversight over pay telephones.

9 This concludes my overview of the Efficiency
10 Committee's first review, and the committee is now
11 seeking your direction on next steps. That could
12 be moving forward to providing this to the
13 Legislature for consideration, going back and
14 further exploring some of these sections of these
15 areas covered, or holding on to this -- these
16 findings for future consideration.

17 I am happy to answer any questions. Thank
18 you.

19 CHAIRMAN LA ROSA: Great. Thank you. And I
20 appreciate you laying that out there at the end
21 really.

22 And, Commissioners, I guess, the question
23 before us, or what's been presented to us is an
24 option we can take, right. And again, going back
25 to what I was saying earlier about the Efficiency

1 Team and assembling what I think is efficiencies
2 that we can recommend to the Legislature and they
3 can, of course, do with them as they see fit. My
4 hope is that my colleagues will join me in agreeing
5 that what's been assembled, what's been presented,
6 would be a resource to the Legislature.

7 If you could look kind of closely at how this
8 is broken down, really part one and part two, and
9 honestly, that reflects not just the good work of
10 the team, but also Mr. Franks because -- and if you
11 don't mind just kind of, you know, entertaining me
12 a little bit and giving me some detail. We were
13 asked specifically to look at pay telephones,
14 right. And I think when you and I first discussed
15 this, when I had seen that comment made, my first
16 thought was why are we regulating pay telephones,
17 right? I don't know where they are. My kids have
18 asked me what exactly are pay phones, and I had to
19 go on a hunt to find them. And David has done a
20 great job of educating me and doing his own
21 independent research.

22 And because that was asked specifically I
23 thought it was important to include as, hey, we did
24 look into this and we are informing that there is
25 reason, of course, hopefully there is enough

1 background information if they wanted to take
2 additional steps, they could.

3 But I think, you know, we are at least giving
4 the backup of why we kind of landed on where the
5 Efficiency Team was, because it was something that
6 was asked of them, or asked of the agency. The
7 Efficiency Team took those up. They filled in the
8 gaps, if I haven't missed anything.

9 MR. FRANKS: No, that's correct. I will say
10 that's probably one of the most common questions I
11 get from the Legislature when I meet with members.
12 They are always surprised to find out we still
13 oversee pay telephones. And I often get asked how
14 many we have, and why, and so --

15 And then, in addition to that, during one of
16 our budget subcommittees, there was a review where
17 members who are assigned to agencies to look over
18 the budget process, and that was one of the
19 questions we were asked, and it was recommended to
20 explore possible elimination of that statute. So
21 that was part of the reason we included that with
22 the report's review.

23 And I think the telecommunication review, as a
24 whole, like you mentioned, would -- was first
25 looked into to be able to provide this if we

1 decided, or if the Commission decided to provide it
2 to the Legislature in time for an early legislative
3 session. So this was something we could hit the
4 ground running and start looking at.

5 CHAIRMAN LA ROSA: I appreciate that. That's
6 why I asked to fill in the gaps. That's exactly
7 right.

8 And that was kind of our first initial goal,
9 is, hey, let's look at the statute, right. Let's
10 look at, you know, legislative recommendations.
11 Let's give the Legislature enough time to consider,
12 and not necessarily consider the start of session,
13 but consider the start of when we believe
14 committees will start meeting, which I know is
15 literally right around the corner, which is why it
16 was important for us to work diligently to get this
17 prepared for Internal Affairs here in September.

18 So my hope is that, and correct me if I am
19 wrong, David, is that this could be implemented in
20 a memorandum, you know, with Commission approval or
21 with Commission support of informing the
22 Legislature of work that the committee,
23 specifically the Efficiency Team has done on behalf
24 of the agency.

25 MR. FRANKS: Yep, that's right.

1 CHAIRMAN LA ROSA: Does that make sense?

2 MR. FRANKS: You are right, if we were to move
3 forward, and this could go in different ways. We
4 could break off one part, or provide the whole
5 document, but that would be provided to our
6 committee chairs in our jurisdiction -- or within
7 our jurisdiction, and the committee staff, just for
8 consideration, just to support their efforts to
9 find efficiencies within the agency, to say we went
10 back looked at these things, and here are some of
11 our findings, and then sort of provide that. Let
12 them decide if that's something they want to
13 explore further.

14 CHAIRMAN LA ROSA: Commissioners, any
15 questions, thoughts?

16 Commissioner Fay.

17 COMMISSIONER FAY: Thank you, Chairman.

18 I just have a quick question. So it kind of
19 sounds like everybody is saying, we don't know
20 where these pay phones are, and maybe that's like
21 an important question to be asking.

22 I am good sending the report on. I obviously
23 think there is, you know, distinctions between,
24 like, we work -- you know, I know the agency worked
25 a lot on FTRI and the TASA reform components

1 because the statute mandated that we do so. With
2 this stuff, it's obviously not changing regulatory
3 components outside of the building, it's basically
4 impacting how we get information and produce
5 reports internally.

6 So I am comfortable, I think, forwarding it on
7 in some format, Mr. Chairman, as to how you would
8 want it to be forwarded on. I think it probably
9 would be appropriate to, you know, come from the
10 agency instead of maybe just the committee. I
11 think that's probably the appropriate way to do it.

12 But I was anything maybe we would have the
13 opportunity to either pull out, or have, like,
14 maybe some more information to provide them on the
15 pay phone side. So in here, we have got the 25 --
16 there were these 20 certified pay phone companies,
17 and then they compared to 2010, which I appreciate
18 the background. I think the question would be,
19 okay, out of those 20, like, how many have them
20 just in correction facilities, and how many are
21 there out there?

22 Because I think, you know, the Legislature, if
23 you want to dereg, or maybe change the regulatory
24 structure, because I think under these
25 circumstances, there is the possibility that you

1 eliminate the regulatory structure, and by doing
2 that, they fall into another category that has more
3 regulation. And so I think we have to be really
4 thoughtful about just that elimination part.

5 But I think, you know, if there is 100, they
6 probably would want to know that. If there is
7 100,000, they would want to know that. I don't
8 think there is 100,000, but I really have never
9 seen one. I mean, like, it's been probably a
10 decade since I have seen a pay phone anywhere, and
11 so maybe they just would want to know the numbers
12 of what they are. And I presume we could get that
13 from these providers that -- these 20 standing
14 providers. I think probably wouldn't take a lot to
15 ask them, you know, request a list, how many you
16 have, how many sit in a corrections facility, and
17 then we could space that out and then give the
18 Legislature this information, because I think it
19 would be the first thing I would ask. You know, as
20 a legislator, you can appreciate -- you would want
21 that information probably to decide what would be
22 changed, you know, in the reporting requirements.

23 CHAIRMAN LA ROSA: The most interesting thing
24 you said you hadn't seen one, and you pointed out
25 that they are all in correction facilities. You

1 haven't been in a correction facility.

2 COMMISSIONER FAY: That's really appropriate
3 and accurate, Mr. Chairman.

4 CHAIRMAN LA ROSA: Yeah, I don't disagree. I
5 think I agree. I would ask, right, where, you
6 know, how many are there, and where exactly are
7 they? Do we have -- I believe they are -- at some
8 point, the information got limited. Do we have
9 that ability, or at least to guide them in the
10 right direction?

11 MR. FRANKS: We could issue a data request and
12 try to get that information.

13 CHAIRMAN LA ROSA: Okay. Staff, does that --
14 are there challenges with that?

15 MR. BAEZ: I am getting the no, so it's a
16 thumbs up.

17 CHAIRMAN LA ROSA: Okay. Okay. And it is a
18 limited number of companies, so I think hopefully
19 we can get that, you know, turned around. I don't
20 know if that should slow us down, but I think, at a
21 minimum, we would make that suggestion, or we would
22 make that comment that we have put this out there,
23 and we will obviously turn this information over as
24 soon as we get it.

25 COMMISSIONER FAY: And I definitely don't want

1 to hold it up, Mr. Chairman. I appreciate, like,
2 the timing that we are coming up on committee
3 meetings, and the Legislature had asked about this
4 previously and they want to, you know, potentially
5 move on it. I definitely don't want this, like,
6 one component to hold up what could be done.

7 But maybe if we were to submit it with the
8 caveat that we are going to provide them with the
9 additional -- we made the data request, and we are
10 going to provide them with that information as soon
11 as we have it, then maybe that would give, from a
12 timing perspective, that would give them this
13 information in a time period they could move if
14 they choose to do so on anything. Whereas, I
15 wouldn't want us to be delayed because these
16 companies don't get that information back to us and
17 then we are already into, you know, a few weeks
18 into November, and suddenly they are just not able
19 to act if they wanted to do so.

20 So I don't know how much time -- I guess,
21 Cayce, do you have any idea how much time it would
22 take them to respond to this kind of thing? I
23 mean, do we have any historical numbers or --

24 MR. HINTON: I think we can probably put a
25 time limit on the data request response --

1 COMMISSIONER FAY: Okay.

2 MR. HINTON: -- and get it turned around
3 quickly. Then it's just a matter of chasing down
4 the people, which there will be some.

5 COMMISSIONER FAY: Yeah, out of the 20, I
6 guess there might be some of those. Okay, well,
7 yeah --

8 MR. BAEZ: They are correctional facilities,
9 after all.

10 COMMISSIONER FAY: Yeah. I would be okay
11 supporting it either way, Mr. Chairman, if you want
12 to send it on with the caveat, or the asterisks, or
13 whatever, we will get them that information, then I
14 would support that too.

15 CHAIRMAN LA ROSA: I think we can make that
16 change. Yeah. Excellent.

17 MR. FRANKS: Okay.

18 CHAIRMAN LA ROSA: Commissioners, any further
19 questions? Thoughts? Comments? Awesome. David,
20 good work.

21 I know when we started this, there wasn't a
22 whole lot of framework, right. So doing something
23 for the first time can be difficult, and I
24 appreciate your professionalism, and not just, you
25 know, what you have done here, but how you stepped

1 up in the agency, I am happy that you are with us,
2 and I am happy that you are taking the role.

3 MR. FRANKS: Thank you.

4 COMMISSIONER FAY: So don't go anywhere,
5 David, basically, the Chairman just --

6 MR. FRANKS: Thank you.

7 CHAIRMAN LA ROSA: All right. Let's move to
8 our General Counsel's report. I feel like I should
9 introduce you as the General Counsel.

10 MS. HARPER: You can do that.

11 Thank you, Mr. Chairman and Commissioners. I
12 will keep it brief, but we have been busy, so there
13 are a few items I would like to share.

14 First, I would like to recognize Shaw Stiller
15 as the supervisor now for the regulatory analysis
16 section. He is here.

17 (Applause.)

18 MS. HARPER: So he will still continue with
19 the FPL case, but he has moved into my old office
20 and is looking very comfortable in there. We are
21 glad that he is there, so excited to report on
22 that.

23 Also, we have been working out a few other
24 things. We are updating our GCL training
25 materials. We are going to be offering an in-house

1 CLE that Jon Rubottom is going to be offering soon.
2 We are also going to offer some ethics training
3 with the Commission on Ethics, who will be becoming
4 here in December. Susie coordinated that with
5 them.

6 We have also been playing around a lot with
7 our AI, and sort of reporting internally on that,
8 and what our likes and dislikes are, what we could
9 possibly be using it for. We have HData, as you
10 guys know, and we also have a new upgraded Westlaw
11 that has an AI function that we have been using as
12 well, and just sort of trying to get the swing of
13 that, and that's been fun.

14 And I met with these good folks here with some
15 legislative staff on our Open Government Sunset
16 review Sunshine Law meetings exception, and that
17 meeting seemed to go very well. So that's up for
18 review, and I am sure David -- David was with us
19 too -- he will report on that at some point, but
20 that was a very protective meeting.

21 I am still very active and involved with the
22 Energy Bar Association, so I have recruited a
23 couple members to that, and we are planning our
24 next event in March in Atlanta.

25 I am also attending the FSU luncheon, law

1 luncheon September 17th, so I will be trying to
2 recruit people there as well for possible externs
3 here.

4 So otherwise, we have just been really busy
5 with some upcoming hearings and upcoming dockets,
6 and that pretty much concludes my report, unless
7 you guys have any questions.

8 CHAIRMAN LA ROSA: Awesome.

9 Commissioners, are there any questions?

10 COMMISSIONER FAY: No Gator bias as you
11 recruit from the --

12 MS. HARPER: Could be some of that. I will
13 not discriminate.

14 CHAIRMAN LA ROSA: Awesome. Thank you. And
15 obviously, a familiar voice and familiar face,
16 Adria Harper, our new General Counsel here at the
17 Commission, so thank you very much.

18 MS. HARPER: Thank you.

19 CHAIRMAN LA ROSA: Let's move to the Executive
20 Director's report. Mr. Baez.

21 MR. BAEZ: Thank you, Chairman, and good
22 morning, Commissioners.

23 What we have before us today is our draft
24 legislative budget request for the fiscal year
25 '26-'27. As we have had a practice of doing, we do

1 run a pretty flat budget request year-over-year,
2 and this year is no different. We are proposing
3 one issue that you have in front of you, and we
4 discussed this prior with your offices as well,
5 making the rounds. We are proposing an elimination
6 of four vacant positions at this point. We
7 continuously monitor our budget and positions and
8 administrative functions to ensure that our
9 resources are aligned with our needs on a constant
10 basis as best we can, and that we remain fiscally
11 responsible for both -- to both the PSC, obviously,
12 and the state of Florida, and that analysis is what
13 identifies this opportunity to streamline our
14 resources at this time.

15 Like many agencies, we have faced challenges,
16 as you well know, in filling vacant positions. And
17 in response, we strategically invest in
18 streamlining processes, whether it's by
19 implementing new technologies. You heard Adria
20 talk a little bit about how they are getting --
21 familiarizing themselves with the use of AI
22 technology in order to better their processes and
23 make their work more -- or their time more
24 productive at work. Likewise, this extends across
25 the agency, just as an example, and also creating

1 operational efficiencies to address the staffing
2 shortages. And as a result, that's why we are
3 proposing to eliminate four vacant positions.

4 This has the fiscal impact of reducing salary
5 costs by approximately 267 -- \$266,000, rounding
6 up. And as to our next steps, our LBR is set to be
7 filed on September 15th, and we are, at the moment,
8 setting up our annual -- our customary meetings
9 with the staff directors of the two, you know,
10 budget subcommittees on both sides on the House and
11 Senate after that meeting, which will be happening
12 at some point very soon prior to filing. And we
13 will be happy to debrief you as to how that goes
14 and pass that along.

15 One of the things that we obviously would
16 present our proposed LBR, if you are kind enough
17 with your kind blessing, and, again, address
18 whatever our trending shows and what our long-term
19 projections, and we have a -- usually have a very
20 good discussion to try and refamiliarize our staff,
21 the budget staff directors with our long-term, you
22 know, what our challenges are. They are very well
23 versed. We have very good relationships with them
24 over the years, and so it's a chance every year to,
25 you know, in advance of the LBR to try and kind of

1 remind them, you know, get back on their front
2 page, so it all goes well, and I would be happy to
3 report back to you all, whether here or
4 individually on it.

5 What we have here is merely -- what you have
6 in front of you, I think we have got a handout
7 that's in draft form. It also includes a more
8 detailed breakdown, actually, of our budget
9 categories as they get filed with the legisla --
10 with the various legislative committees and
11 whatnot, and the Governor's Office.

12 So if you have any questions, I am happy to
13 answer them.

14 CHAIRMAN LA ROSA: Commissioners, any
15 questions?

16 I will kind of just maybe open the door on
17 something.

18 So there is -- not on here is what I am going
19 to, for lack of a better term, say that the
20 Legislature sometimes adds to our budget, which is
21 a --

22 MR. BAEZ: Yes.

23 CHAIRMAN LA ROSA: -- which is a general total
24 revenue fee, for lack of --

25 MR. BAEZ: Oh, okay. Yes. We are there.

1 CHAIRMAN LA ROSA: Okay. So if our request is
2 \$31.3 million, it comes out of the trust fund. We
3 don't receive general revenue dollars. It will
4 approve us for a higher dollar amount to then pay
5 back to general revenue, or to pay back to -- yeah,
6 to pay back to the Legislature as a --

7 MR. BAEZ: What you are asking -- what you are
8 asking -- if you can --

9 CHAIRMAN LA ROSA: Yeah, please.

10 MR. BAEZ: -- restate it is, is the 31 million
11 operating budget --

12 CHAIRMAN LA ROSA: Right.

13 MR. BAEZ: -- does it include or not include
14 this add-on, this --

15 CHAIRMAN LA ROSA: Yeah, it looks like it
16 doesn't.

17 MR. BAEZ: It doesn't --

18 CHAIRMAN LA ROSA: Right.

19 MR. BAEZ: -- no.

20 CHAIRMAN LA ROSA: Right, so what is that
21 dollars --

22 MR. BAEZ: This is just operating in-house.

23 CHAIRMAN LA ROSA: So walk me through. How
24 does that typically work, and how does that get
25 tacked on? I was just kind of assuming by saying

1 that the Legislature adds on to it, bare minimum,
2 they don't have to give us a higher spending
3 amount.

4 MR. BAEZ: So every year, we provide an
5 estimate of revenues --

6 CHAIRMAN LA ROSA: Right.

7 MR. BAEZ: -- to the Legislature, or to -- is
8 it to OPP? I am -- now, I'm -- it's to OPP, and
9 based on our -- based on our in-year, you know,
10 current year projected revenues --

11 CHAIRMAN LA ROSA: Right.

12 MR. BAEZ: -- that produces -- that produces
13 an estimated eight percent gross revenue --

14 CHAIRMAN LA ROSA: Right.

15 MR. BAEZ: -- charge. And so then when they
16 -- when they give us -- when the Legislature gives
17 us budget authority to spend this operating budget
18 that we are asking for, there is a true-up, there
19 is an upward adjustment to include that estimate.

20 Again, it's a -- based on however the numbers
21 have changed by then, but they include our
22 estimate. That does not touch our bank account.
23 That is to say, we don't -- we don't -- even though
24 budget authority has been given in a gross -- as a
25 gross matter, for 34 million, let's say, I think we

1 are roughly at three million now.

2 CHAIRMAN LA ROSA: Sure.

3 MR. BAEZ: We are only operating with the 31.
4 There is no -- that three million, or whatever the
5 number, hard number, winds up going, just kind of
6 gets redirected elsewhere.

7 CHAIRMAN LA ROSA: Go ahead.

8 COMMISSIONER CLARK: Tell me, are those
9 numbers included in the actual LBR document itself?

10 MR. BAEZ: Yeah.

11 COMMISSIONER CLARK: Can you send us a copy of
12 that?

13 MR. BAEZ: As soon as -- as soon as it gets --
14 as soon as it gets filed, we will be able to draw
15 back what was filed.

16 COMMISSIONER CLARK: You don't have a -- you
17 don't have a copy that you did this from?

18 MR. BAEZ: I know that there is some
19 disconnect between -- it's filed electrically, as
20 you know, and so it becomes -- I am unclear as to
21 whether we can work in draft in that until we --
22 until we upload. I will get you an answer and try
23 and -- and try and see if we can get what that --
24 what -- which number exactly are you interested?

25 COMMISSIONER CLARK: The whole thing. I mean,

1 the entire LBR.

2 MR. BAEZ: So we can get that?

3 MS. LYNN: So the sche -- those numbers will
4 be represented in your Schedule 1. So when we
5 submit the LBR, the non-operating and operating
6 budget authority and request will be in your
7 Schedule 1, so we can get you a draft of that when
8 that's done.

9 COMMISSIONER CLARK: So when do you plan to
10 submit it?

11 MS. LYNN: So it's due September 15th.

12 COMMISSIONER CLARK: Okay.

13 THE WITNESS: And it's not quite done yet. It
14 goes through an audit and a process, because it is
15 a part of the LBR.

16 COMMISSIONER CLARK: So we don't know that
17 these numbers are correct yet?

18 THE WITNESS: Right. Well, they are pretty
19 much correct. So the draft means that once we get
20 all the numbers in and all the reports in, then
21 there may be some tweaks on these numbers, but not
22 significantly.

23 So in -- during the March -- months of
24 March-ish, the Legislature asks us what do we think
25 our non-operating costs will be, and so we give

1 them an estimate of \$3 million, and they give us
2 the budget authority based on our estimate. So we
3 get the budget authority to spend the non-operating
4 up to \$3 million, and that's the -- above the
5 operating costs that you were just mentioning.

6 COMMISSIONER CLARK: And I think the Chairman
7 asked this, but that money is allocated to exactly
8 what, the non-operating dollars?

9 MS. LYNN: It's allocated to spend on
10 non-operating costs, so your service charge to GR
11 and also fees.

12 COMMISSIONER CLARK: Is that, like, our
13 building payments to DMS?

14 MS. LYNN: No. So those are operating costs.

15 COMMISSIONER CLARK: So those are payments to
16 GR. Explain that in a little more detail to me. I
17 get we are just giving them back money, but --

18 MS. LYNN: So we are assessed a fee of eight
19 percent of our revenues that we have to pay to GR.
20 We, along with other -- a few agencies have that
21 same assessment, and it's based in statute.

22 COMMISSIONER CLARK: And they give us the
23 money to pay them back with?

24 MS. LYNN: They give us authority to use our
25 trust fund dollars to pay that back.

1 COMMISSIONER CLARK: It came out of our trust
2 fund --

3 MR. BAEZ: It does.

4 COMMISSIONER CLARK: I though we were getting
5 a general revenue allocation.

6 CHAIRMAN LA ROSA: No. No. Actually that's
7 the point I was making. It just comes out our
8 trust fund.

9 COMMISSIONER CLARK: You've got me confused.

10 CHAIRMAN LA ROSA: Yeah. Yeah. It just comes
11 out of our trust fund --

12 MS. LYNN: Right.

13 CHAIRMAN LA ROSA: -- and then I think I am
14 hopefully closing your loop here, where does the
15 money go? Do we write a check?

16 MS. LYNN: Yes, we do.

17 COMMISSIONER CLARK: So we are taking 34
18 million out of the trust fund, but 31 million is
19 operating?

20 MS. LYNN: Roughly, yeah.

21 MR. BAEZ: Yes, sir.

22 COMMISSIONER CLARK: So we don't show those --
23 why don't we show those dollars? That's, I guess
24 my confusion.

25 MS. LYNN: Well, we show them, but they are

1 just --

2 COMMISSIONER CLARK: We are eliminating the
3 trust fund three million a year.

4 MS. LYNN: Right, they are shown in the
5 Schedule 1. So this document, the LBR itself, is
6 based only on your operating costs. So we can only
7 ask for or make adjustments to operating
8 expenditures. So those -- there is just two
9 separate pictures, two separate buckets, but they
10 are both represented in your full LBR, and we can
11 definitely get you a copy of that.

12 COMMISSIONER CLARK: Mr. Chairman, I would
13 really like for us to have a copy of that.

14 MS. LYNN: Oh, yeah.

15 COMMISSIONER CLARK: I know I remember going
16 through it a couple of years ago, but if you don't
17 stay right on top of it, you kind of forget some
18 things.

19 CHAIRMAN LA ROSA: So is it possible -- let me
20 ask this question, and then I will go back to what
21 I am about to say. Is the Schedule 1 broken down
22 the same way that these categories are, just kind
23 of chart of accounts?

24 MS. LYNN: No.

25 CHAIRMAN LA ROSA: It's not, it's different?

1 MS. LYNN: Yes, it's different.

2 CHAIRMAN LA ROSA: Okay. But the totals would
3 be, like, as you are saying more --

4 MR. BAEZ: Approximate, yeah.

5 CHAIRMAN LA ROSA: Okay. Then what I was
6 about to say was can that Schedule 1 be circulated
7 to us before it's submitted, which is only in 10
8 days, 11 days?

9 MS. LYNN: Yes.

10 MR. BAEZ: I think, yes.

11 MS. LYNN: We will get you a draft.

12 MR. BAEZ: We will get you a draft.

13 CHAIRMAN LA ROSA: Is that --

14 COMMISSIONER CLARK: Absolutely.

15 CHAIRMAN LA ROSA: That's cool?

16 COMMISSIONER CLARK: Yes.

17 CHAIRMAN LA ROSA: And then, again, sorry for
18 rehashing something. The eight-percent, I will
19 call it general revenue service charge, is not on
20 that LBR. That's something that after review --

21 MR. BAEZ: It does --

22 CHAIRMAN LA ROSA: It is on the there?

23 MR. BAEZ: -- estimated -- that estimated
24 number.

25 CHAIRMAN LA ROSA: Is there?

1 MR. BAEZ: Is there.

2 CHAIRMAN LA ROSA: Okay. All right. Further
3 questions, Commissioners?

4 MR. BAEZ: Did I get that -- I want to say it
5 sits at, like, 3.3 now, somewhere around three
6 million, if I am recalling, and that's based on our
7 projection of revenues for the year.

8 CHAIRMAN LA ROSA: And as we monitor or, you
9 know, survey RAF fees and the trust fund, that is
10 calculated into it, that assumption is calculated
11 into it?

12 MR. BAEZ: Yes, because it would -- it would
13 fit into the numbers that impact what the
14 Commission's projections in out years --

15 CHAIRMAN LA ROSA: Sure.

16 MR. BAEZ: -- for example, how our rev -- you
17 know, how we see the revenues projecting and
18 expenditures -- expenditures, again, in a balance
19 sheet sense --

20 CHAIRMAN LA ROSA: Right.

21 MR. BAEZ: -- you get -- it would be worked
22 in, because that creates pressure on, if nothing
23 else, on the trust fund balance, you know,
24 generally. So when you are projecting that, yes,
25 the GR component is included.

1 COMMISSIONER CLARK: And that's been, I guess,
2 kind of where I have been going with this, Mr.
3 Chairman, is we can actually have an impact on the
4 RAFs if we can eliminate the contributions back to
5 the general trust -- to the general fund out of our
6 own trust fund, we could actually lower the RAFs.
7 Let's keep our own money and operate our own
8 business.

9 CHAIRMAN LA ROSA: Yeah, and that's the angle
10 I was trying to go down to fully understand and
11 digest, is that if we made -- I know this is a
12 budgetary process and not necessarily a policy
13 process, but if we, like, we just sit here in the
14 Efficiency Team and say, hey, we are identifying
15 these things to make us more efficient, in all
16 technicality, identifying that there is a charge
17 that would basically save us money, save our
18 operating, overall operating costs, which would
19 then result in our trust fund, which is ultimately
20 being paid by RAF fees, which are customers, could
21 that -- I guess, where is there room to make that
22 suggestion, because I understood it, and maybe more
23 as a layman, is that the eight-percent general
24 revenue is intended for agencies that are General
25 Revenue funded agencies, maybe. I don't know,

1 that's not for us -- that's a policy decision
2 that's not for us.

3 MR. BAEZ: Right, not the expert on general
4 revenue policy, but I think -- I think you -- there
5 is a logic to what you just said, right.

6 CHAIRMAN LA ROSA: Sure.

7 MR. BAEZ: I mean, I think we would all land
8 there, sure.

9 CHAIRMAN LA ROSA: I guess, in a perfect
10 world, what I would like to see is us recommending
11 -- or us pointing out that if this was not charged,
12 that there is a trickle-down effect that could
13 affect us as an operating commission --

14 MR. BAEZ: Yeah.

15 CHAIRMAN LA ROSA: -- and the ratepayers in
16 which we serve.

17 MR. BAEZ: Absolutely.

18 CHAIRMAN LA ROSA: -- positively.

19 MR. BAEZ: Well, that's part of -- that's part
20 of what goes on in these discussions in the, you
21 know, with our budget directors. The catch here to
22 all of this, I mean, is that it is a statutory --
23 it's a statutory requirement that's placed --

24 CHAIRMAN LA ROSA: Understood.

25 MR. BAEZ: -- on this agency and others,

1 obviously, and so now you are talking statutory
2 changes. So it's -- I mean, while I would agree
3 with you that maintaining it at the forefront in
4 terms of discussion and shining a light on, you
5 know, that, again, the logic of the why is
6 absolutely necessary. In order to make that
7 change, it does involve a change in law which, you
8 know, again, that's a whole other process subject
9 to its own vagrancies.

10 COMMISSIONER CLARK: But not unprecedented --

11 MR. BAEZ: No, not unprecedented.

12 COMMISSIONER CLARK: -- because other agencies
13 have gotten their --

14 MR. BAEZ: That's absolutely true.

15 COMMISSIONER CLARK: -- general revenue
16 requirements lowest --

17 MR. BAEZ: There are -- there are --

18 COMMISSIONER CLARK: -- some have petitioned
19 for none.

20 MR. BAEZ: Yeah. If you look at -- if you
21 look at just a cursory inspection of the statute,
22 it does include exemptions. Now, a lot of those
23 exemptions -- and, Commissioner Clark, you probably
24 have the most experience with the example, again,
25 given your experiences, you know, there are --

1 there is trust funds, again, perhaps some managed
2 by DEP, for example, that are created by, like, a
3 gift, you know, of an estate, and so forth. And
4 those trust funds are -- trust funds like of that
5 nature are exempted naturally in the statute.

6 But, yes, the opportunity is there to have the
7 discussion, and that's something that we would
8 definitely -- we have had and definitely intend on
9 continuing. How much -- how much more volume we
10 want to raise on it, again, is a fair discussion to
11 have culminating in y'all's direction. I mean,
12 obviously it's a matter of everyone agreeing that
13 we should go and pursue a change in law, for
14 example.

15 CHAIRMAN LA ROSA: Yeah. And the way I feel
16 about this is that if one of these items, right, in
17 this chart of accounts, or this breakdown, was to
18 have a certain amount of something that I felt that
19 we didn't need, let's say vehicles, right, that
20 would be an easy one, and said you had to have six
21 new vehicles every year, or something crazy like
22 that, and we didn't use that, I would say, well,
23 hold on, like, we need, you know, the statute says
24 that this is how we utilize that differently,
25 because maybe we don't travel as much, or whatever

1 the reason was at the time has now changed.

2 That's kind of what I feel about this, is that
3 I don't know why it was implemented --

4 MR. BAEZ: Who can tell?

5 CHAIRMAN LA ROSA: -- but it's hard for me to
6 sit back and see where there could be a savings to,
7 frankly, in this case, to both the taxpayers and
8 ratepayers, specifically ratepayers in this
9 scenario, and not make an issue, not necessarily an
10 issue, but not bring it to the forefront and say,
11 hey, here is the way -- how we can be more
12 effective and more efficient with the dollars that
13 we spend and the actions that we take.

14 So I think I am agreeing with the direction
15 you are going, is that I would like to pursue and
16 at least make notice. How we do that officially is
17 maybe what I am a little bit more caught up on.

18 MR. BAEZ: I mean, again, I have -- we have
19 expressed our intent certainly to continue raising
20 the issue in discussions at the level at which we
21 have access on a daily basis. For us to, you know,
22 for example, to have David, you know, go through
23 the motions and do something in a bit more formal
24 capacity, that, you know, that would take a
25 discussion amongst the Commission and to issue that

1 directive. I think there are a lot of variables
2 that play into that, obviously, and it's always up
3 for consideration.

4 CHAIRMAN LA ROSA: Is there any variable that,
5 off the top of your head -- and I don't want to
6 overcomplicate it -- that you could say that, hey,
7 this could be a challenge for us now, and why we
8 shouldn't consider taking this first steps forward?

9 MR. BAEZ: I think -- I think that -- well, I
10 think, like everything, the narrative matters. And
11 I have had this discussion with pretty much all of
12 you in one form or another over this time. The
13 narrative matters, and if it -- if it were -- if it
14 presented as, you know, as a sense of urgency, an
15 emergency situation to which this was a piece of
16 the solution, temporary at first, perhaps, you know
17 how things -- how inertia a works, it kind of makes
18 itself permanent, constant, great, is do we have
19 that sense of urgency? I can't sit here and tell
20 you that that exists at the moment.

21 CHAIRMAN LA ROSA: What you do mean urgency?
22 Urgency --

23 MR. BAEZ: For instance, if we were -- so when
24 this consideration conversation, when this
25 eight-percent kind of started gaining a little bit

1 of momentum at least in conversations amongst the
2 executive staff as to how to -- we were in a much,
3 much more dire fiscal position in terms of trust
4 fund balances --

5 CHAIRMAN LA ROSA: Gotcha.

6 MR. BAEZ: -- going forward. We remember
7 those days.

8 CHAIRMAN LA ROSA: That's what you are talking
9 about?

10 MR. BAEZ: Right. And so at that point, you
11 know, raising the general revenue issue itself, or
12 whether it was that, or it was, you know, turning
13 over the couches for spare change, you know, there
14 is a sense of urgency that drives these, you know,
15 solutions that get proposed.

16 We did have preliminary discussions that
17 didn't really -- and again, you know as well,
18 perhaps better than anyone, you know, sometimes the
19 climate isn't about talking about that, right. So
20 you have to find a willing listener as well. And
21 so we have corrected that through much hard effort
22 on the part of our, you know, management in general
23 over the years, we have corrected that, and, again,
24 as well, by your blessing to join us in our effort,
25 you know, to rebalance the RAF rate so that they

1 more closely align with the cost causing as an
2 agency in terms of workload and stuff. That was
3 big for us.

4 It continues to -- our situation continues to
5 improve, not just because of that, but because of
6 external, you know, stuff that's beyond our
7 control. And I won't bore you with the details of
8 that, but it's a long conversation.

9 Having said that, yeah, ultimately, we are not
10 in the kind of dire fiscal issue -- fiscal position
11 in the out years, right, the two, three, four, five
12 years --

13 CHAIRMAN LA ROSA: I get it, from a -- this is
14 all from a trust fund perspective --

15 MR. BAEZ: Right.

16 CHAIRMAN LA ROSA: -- and funds available?

17 MR. BAEZ: And so there is nothing that we can
18 point at, you know, directly to say --

19 CHAIRMAN LA ROSA: I understand.

20 MR. BAEZ: -- we really, you know, this is
21 going to save us, you know.

22 CHAIRMAN LA ROSA: You want to arm wrestle?

23 COMMISSIONER CLARK: And -- yeah.

24 MR. BAEZ: However, I mean, I think

25 Commissioner Clark's point is well taken, and this

1 is a point that all of you have made individually,
2 mind you. Not to steal Commissioner Clark's
3 thunder, but I think he puts it well. It does have
4 -- it does have at least a one-step removed direct
5 type of impact into the costs that we pass on --

6 CHAIRMAN LA ROSA: Yeah --

7 MR. BAEZ: Right?

8 CHAIRMAN LA ROSA: I get it.

9 MR. BAEZ: Right. Now, is it a today it's
10 good, then let's lower it today, and that? Now,
11 that's a different -- that's a different outlook.
12 If nothing else, it helps keep our trust fund
13 solvent longer with less pressuring.

14 CHAIRMAN LA ROSA: And that's the point, see.
15 And that's the urgency that I come from, is that
16 you shouldn't need something to take action. I
17 think that --

18 MR. BAEZ: I agree.

19 CHAIRMAN LA ROSA: Yeah, and that's why I was
20 trying to direct --

21 MR. BAEZ: Agree totally.

22 CHAIRMAN LA ROSA: -- what you are saying
23 about the trust fund. And I am not -- I am not
24 disagreeing with what you were explaining, because
25 I think you were explaining it truly from a trust

1 fund perspective.

2 MR. BAEZ: Yeah.

3 CHAIRMAN LA ROSA: I understand that. But for
4 me, the urgency is that we should always be running
5 as sharp as we possibly can. And kind of similar
6 to my note earlier, is that it's hard for me to
7 know about something and not be pointing it out.
8 And at the end of the day, the Legislature, they
9 are in control. They make the laws. They ponder,
10 they go through decision-making and discussions and
11 debate, and do their own, obviously, independent
12 research as they feel necessary. I hope to be an
13 extension and resource to them as an agency.

14 So I think it's -- I think it's bestowed upon
15 us to pursue this, frankly, to point this out. And
16 if there is other reasons, so let it be. That's
17 fine. I can live with -- we live with all the
18 decisions they implement as they see necessary.
19 But I see this as something saying, hey, I do think
20 we need to take the extra effort. I do think that
21 we need to point this out.

22 I don't know why historically this has done or
23 not been done, or why other agencies have maybe
24 lowered and are at different numbers than we are,
25 but I think that this is our -- part of our

1 responsibility because I think we know it best,
2 personally.

3 MR. BAEZ: No disagreement from me. I mean,
4 look, my low level OCD won't allow me to accept in
5 my mind, can't square in my mind why, you know, an
6 agency such as ours, that has -- that's 100-percent
7 trust funded, and we have the funding mechanism,
8 think of what you may, to have those operations,
9 now all of a sudden has to become a revenue center
10 outside of the normal -- normally understood
11 revenue mechanisms for -- to fund general revenue.
12 That -- again, that's the logic that doesn't square
13 with me.

14 However, that, to me, is an argument in
15 principle. That, to me, is an argument that
16 doesn't have a -- yeah, it's patently not fair to
17 use, but there is no, you know, what -- who is
18 getting -- like, who is -- where's the blood, you
19 know?

20 I agree with you. I think it allows us to --
21 it might allow us to better nail down, you know, a
22 number, because now we are only operating -- now
23 you all are actually blessing an operating budget.
24 Now you can -- now it's meaningful to say, hey, we
25 are too high here, too low there, whatever the case

1 may be, because you are doing it free of this thing
2 that you -- no one can control, no one here anyway,
3 can control.

4 My prayer to you is just really is to -- if
5 that's something that you want to pursue, then I
6 think we would need, like, some direction to -- if
7 more than what I am describing to you, you know,
8 kind of keeping the discussion alive at the level
9 in which we can access. If to go beyond that means
10 putting things in writing, on the record with
11 direction and going and pursuing a change in law,
12 and that, you know, fine, happy to -- we would be
13 more than happy to pursue it, but I think it takes
14 clear direction. That's a Commission thing.

15 CHAIRMAN LA ROSA: Sure.

16 Commissioner Clark.

17 COMMISSIONER CLARK: And I think it's right.
18 I think, you know, subject to the entire
19 Commission's agreement on this concept, it's
20 something I have been long, long discussed
21 pursuing.

22 I think it's a twofold approach. I think we
23 can instruct staff, if we are in agreement, to
24 begin having those conversations, that we want to
25 pursue this. And I think that it's a twofold

1 approach, Mr. Chairman. I think your efficiency
2 committee, I think this kind of plays right into
3 what they are doing, and the alignments they have
4 already began looking at some of the specific
5 efficiencies. This is -- this is as good as it
6 gets. I mean, these are substantial numbers of
7 dollars, and coming back from the committee's
8 perspective with an exact recommendation to the
9 Commission in time to get in front of this
10 legislative -- this legislative committee that's
11 coming up, I think it would be very appropriate. I
12 would highly encourage us to pursue it.

13 CHAIRMAN LA ROSA: Commissioner Fay.

14 COMMISSIONER FAY: Yeah, I mean, I would just
15 add, conceptually, it seems worth discussing. I
16 mean, I would be interested, to your point, if the
17 Efficiency Committee looked at it. I would be
18 interested in to know, okay, well, what agencies
19 are solely trust fund, right, that don't have GR?

20 And I didn't know there were agencies exempt
21 from this. So hearing that is new information to
22 me. So if there are other agencies that already
23 are not in this category, then, to your point, the
24 reasoning behind that might be very valid and
25 consistent with the way our agency is structured.

1 I mean, as a legislative agency, we are probably
2 already different in a lot of ways, and so that
3 discussion is probably worth having.

4 I mean, to Braulio's point, when he mentioned
5 this to me, I thought conceptually, our budget
6 looked like it was in pretty good shape, and so
7 looking at that, I think, well, why would we pursue
8 this? But I think hearing what you and
9 Commissioner Clark presented today, there is
10 probably some valid components to look at, is this
11 -- where's the downstream impact? Like, who --
12 where is it actually impacting, and why are we
13 doing that? And then, to your point, giving the
14 Legislature the ability to decide what they would
15 want to do with it, but I would, like, I think we
16 are just giving David all kinds of work here.

17 CHAIRMAN LA ROSA: In the back of my mind, I
18 keep thinking, poor David, we are about to bring
19 him forward, or at least tell him, like, hey, this
20 is the direction we want to go.

21 COMMISSIONER FAY: Yeah, but that would be
22 information, like, I would be absolutely interested
23 in as to who doesn't pay the current, you know,
24 eight percent, or whatever, and how we correlate to
25 that, and, you know, that sort of thing. So that

1 information is readily available, like, I would
2 love to know that.

3 CHAIRMAN LA ROSA: Uh-huh. Okay. Excellent,
4 and I am agreeing with both Commissioner Clark and
5 Commissioner Fay.

6 Anybody else?

7 Commissioner Passidomo Smith.

8 COMMISSIONER PASSIDOMO SMITH: I will say, we
9 have had discussions, and I have said the same
10 thing over and over. I just -- yeah, and I like
11 the way the both of you put it in the efficiency
12 aspect. It just makes a lot more sense to me. And
13 I think, you know, if you kind of monitor the tone
14 of the Legislature right now, I think they would be
15 really amenable to something like that. I think
16 that that's something that they are interested in
17 as well, is, you know, we want to save, you know,
18 taxpayers money. We want to be an efficient
19 government, and I think that we generally pride
20 ourself -- the state prides itself on being that
21 way, so --

22 And I do think, Commissioner Fay, I think that
23 information is already available, we have talked --
24 you have it.

25 MR. BAEZ: It's somewhere.

1 COMMISSIONER PASSIDOMO SMITH: I'm sure you
2 got it, you know, like, in a file, like ready to
3 go. So there is ways to, you know, to make an
4 argument as to why that could apply to us as well.

5 MR. BAEZ: And I just want to be clear. When
6 I said that there is exemptions out there, they are
7 targeted exemptions. I don't want to imply that
8 there is any agency specifically, although there
9 may be one, I just don't know of it.

10 COMMISSIONER FAY: You said there is agencies.

11 COMMISSIONER CLARK: I think Ag has a
12 six-percent.

13 MR. BAEZ: They have a -- they've got a
14 lower --

15 COMMISSIONER CLARK: They've got a lower --

16 MR. BAEZ: Yeah.

17 COMMISSIONER FAY: Not exemption.

18 COMMISSIONER CLARK: And I was clear on that
19 one. I said there are some who have exemptions and
20 some discount.

21 MR. BAEZ: Having a department discount --
22 well, obviously, there is some -- there may be some
23 flex there as well, even within the concept. So we
24 will explore them all. And to be clear, I mean, I
25 think just by this discussion alone, I feel

1 personally as comfortable as I have ever felt to be
2 able to talk about this with, you know, our
3 cohorts, in a wider sense, you know, downtown.
4 Again, to me there is a clear distinction running
5 an agency bill, or having a legislative -- a
6 full-on legislative effort is a little bit
7 different in my mind than this that we are saying
8 is, like, yes, let's keep -- let's keep sounding
9 the bell, you know, let's keep ringing the bell,
10 and to keep talking about it and see if we can't
11 get some rule, start doing that, you know, we will
12 renew our efforts as soon as possible, hopefully in
13 time. I mean, again, if we get a willing, you
14 know, if we get a willing friendly ear, there is no
15 telling what can be accomplished now in time for
16 session.

17 CHAIRMAN LA ROSA: So let's do this, are we --
18 Commissioners are, we good? Any further thought?

19 Specifically to this, or to this service fee,
20 it's September, Internal Affairs is again in
21 October. I don't recall a date in front of me, but
22 I know we have got a lot going on, a lot of moving
23 pieces on the calendar in that month.

24 MR. BAEZ: I think it's the 7th.

25 CHAIRMAN LA ROSA: Okay. Yeah, so the early

1 part. It's almost a month from now. Let's have
2 the Efficiency Team look at this, the information
3 you may have, any other independent research that
4 Mr. Franks, yeah, can come up with. The team will
5 meet. We will discuss, and let's present something
6 back for the October 7th Internal Affairs meeting.
7 That will give us, you know, still good time,
8 right. Hopefully we can turn it over to the
9 Legislature in some form or fashion.

10 I think more than anything, it's important,
11 from at least my perspective, is that we make the
12 informed disclosure, call it, in the sense that,
13 hey, this is something that our Commissioners have
14 decided to pursue, and so let that be, and then
15 maybe there is some statutory recommendation, but I
16 think the more important part than putting --

17 MR. BAEZ: I think --

18 CHAIRMAN LA ROSA: -- a bill in front of
19 them --

20 MR. BAEZ: I think if you just point a finger
21 at the problem --

22 CHAIRMAN LA ROSA: A thousand percent, and I
23 think that's -- that would be important for us to
24 elicit, initiate and start based on the findings we
25 get from the Efficiency Team, but I think I can

1 probably, you know, assume what they are going to
2 be, is that, hey, this fee is unique and different
3 from -- to us compared in comparison to other
4 agencies.

5 I think it's very unique what we do here.
6 There is five of us. Five of us Commissioners. I
7 it's very different from other agencies that may
8 have a secretary and, obviously, operate in a very
9 different way. I think that's -- hopefully it
10 comes with a little more weight that five of us
11 have deliberated, and hopefully five of us have
12 agreed on the direction that we are going.

13 So, again, so go ahead, if this can be sent
14 back to the Efficiency Team, the Efficiency Team
15 can review whenever that meeting is, or maybe we
16 will call a special meeting so that we can bring
17 back if front of us for the next Internal Affairs.

18 MR. BAEZ: Okay. And the only thing left to
19 do here is to say grace over at least our -- the
20 LBR proposal. They don't walk, you know, if y'all
21 got any other questions, but --

22 CHAIRMAN LA ROSA: Yeah, let's close the gap
23 on that.

24 COMMISSIONER FAY: I just have a question. So
25 we submit -- to your point, what we submit to them

1 is the actual electronic LBR version, it includes,
2 like, the Schedule 8B and all that stuff?

3 MR. BAEZ: All of that good stuff.

4 COMMISSIONER FAY: And so this is for purposes
5 for us?

6 MR. BAEZ: Yes.

7 COMMISSIONER FAY: It doesn't include the
8 non-operating --

9 MR. BAEZ: Right.

10 COMMISSIONER FAY: Okay. So all of that other
11 information, to your point, will go to them like it
12 normally would?

13 MR. BAEZ: It's a huge, it's, like, 150, being
14 200 pages sometimes.

15 COMMISSIONER FAY: Sounds fun.

16 MR. BAEZ: Yeah, it's a lot of paper.

17 CHAIRMAN LA ROSA: It is possible to get us
18 Schedule 1 before then?

19 MR. BAEZ: I think we can.

20 COMMISSIONER CLARK: Electrically.

21 CHAIRMAN LA ROSA: Not in a binder.

22 MR. BAEZ: In PDF.

23 CHAIRMAN LA ROSA: Okay.

24 MR. BAEZ: We will do our best to get it to
25 you.

1 COMMISSIONER CLARK: Thank you.

2 CHAIRMAN LA ROSA: All right. So do we take a
3 vote on that?

4 MR. BAEZ: A nod will do. I mean, if you are
5 all in agreement for us to move forward with the
6 file as we have represented, again, there are
7 numbers out there that we don't control.

8 CHAIRMAN LA ROSA: Sure. Sure. Okay.

9 MR. BAEZ: Thank you.

10 CHAIRMAN LA ROSA: All right. Seeing no
11 opposition, let's move forward with that.

12 MR. BAEZ: Appreciate it.

13 CHAIRMAN LA ROSA: All right. Let me find my
14 schedule here.

15 All right. Anything else, Executive Director?
16 That was it?

17 MR. BAEZ: That is the balance of the report.

18 CHAIRMAN LA ROSA: Okay.

19 MR. BAEZ: I think I have taken up enough of
20 your time.

21 CHAIRMAN LA ROSA: It's all good. All good.

22 All right. Commissioners, any further
23 business before us?

24 I am going to turn to my Advisor, 1:30? See,
25 that's why I was smart to do that.

1 All right. So Ten-Year Site Plan following
2 this meeting back in the hearing room. We are
3 going to push that to 1:30, so 1:30 start for the
4 Ten-Year Site Plan. Hopefully that will give us
5 enough time for those to break to have lunch.

6 All right. See you guys there. This meeting
7 is adjourned.

8 (Proceedings concluded.)

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