

ORIGINAL

FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLE:

RULE NO.:

Refusal or Discontinuance of Service 25-30.320

PURPOSE AND EFFECT: To amend the current rule to authorize utilities under Commission jurisdiction to discontinue water service for nonpayment of bills for municipal sewer service under the circumstances specifically provided in Section 159.18(2), Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Discontinuance of water service.

SPECIFIC AUTHORITY: 350.127(2), 367.121 FS.

LAW IMPLEMENTED: 367.081, 367.111, 367.121 FS.

UNLESS DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED.

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO CHRISTIANA T. MOORE, DIVISION OF APPEALS, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT

IS: Ralph Von Fossen, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850) 413-7005.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-30.320 Refusal or Discontinuance of Service.

(1) No Change.

(2) As applicable, the utility may refuse or discontinue service under the following conditions provided that, unless

otherwise stated, the customer shall be given written notice and

allowed a reasonable time to comply with any rule or remedy any

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deficiency:

(a) For noncompliance with or violation of any state or municipal law or regulation governing such utility service.

(b) For failure or refusal of the customer to correct any deficiencies or defects in his piping or equipment which are reported to him by the utility.

(c) For the use of utility service for any other property or purpose than that described in the application.

(d) For failure or refusal to provide adequate space for the meter or service equipment of the utility.

(e) For failure or refusal to provide the utility with a deposit to insure payment of bills in accordance with the utility's regulation.

(f) For neglect or refusal to provide reasonable access to the utility for the purpose of reading meters or inspection and maintenance of equipment owned by the utility.

(g) For nonpayment of bills, including nonpayment of municipal sewer service under circumstances specifically provided in Section 159.18(2), F.S., or noncompliance with the utility's rules and regulations in connection with the same or a different type or a different class of utility service furnished to the same customer at the same premises by the same or affiliated utility only after there has been a diligent attempt to have the customer comply, including at least 5 working days' written notice to the customers. Such notice shall be separate and apart from any bill for service. For purposes of this subsection, "working day" means any day on which the utility's office is open and the U.S. Mail is

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delivered. A utility shall not, however, refuse or discontinue service for nonpayment of a dishonored check service charge imposed by the utility.

(h) - (j) No Change.

(3) - (6) No Change.

Specific Authority: 350.127(2), 367.121, F.S.

Law Implemented: 367.081, 367.111, 367.121, F.S.

History: Amended 9/12/74, 4/3/80, formerly 25-10.74, 25-10.074,
Amended 11/9/86, 1/1/91, 1/11/93, 11/30/93, _____.