

STATE OF FLORIDA



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(850) 413-6199

# Public Service Commission

December 9, 2015

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

RECEIVED  
2015 DEC -9 AM 10: 21  
JOINT ADMINISTRATIVE  
PROCEDURES COMMITTEE

RE: Docket No. 150241-PU; Rules 25-6.093, 25-6.097, 25-6.100, 25-7.079, 25-7.083  
and 25-7.085, F.A.C.

Dear Mr. Plante:

Enclosed are the following materials concerning the above referenced proposed rules:

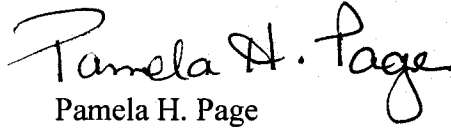
1. A copy of the proposed rules.
2. A copy of the F.A.R. notices.
3. A statement of facts and circumstances justifying the proposed rules.
4. A federal standards statement.
5. Statement of Estimated Regulatory Costs for the rules.

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COMMISSION  
CLERK

Mr. Kenneth J. Plante  
December 7, 2015  
Page 2

If there are any questions with respect to these rules, please do not hesitate to call me at 413-6214.

Sincerely,

A handwritten signature in black ink that reads "Pamela H. Page". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Pamela H. Page  
Senior Attorney

Enclosures

cc: Office of Commission Clerk

1 **25-6.093 Information to Customers.**

2 (1) ~~Each utility shall, upon request of any customer, give such information and assistance as is~~  
3 ~~reasonable, in order that the customer may secure safe and efficient service.~~ Upon the  
4 customer's request, the utility shall provide to the any customer information as to the method  
5 of reading meters and the derivation of billing therefrom, the billing cycle and approximate  
6 date of monthly meter reading.

7 (2) Upon request of the any customer, the utility shall ~~is required to~~ provide to the customer a  
8 copy and explanation of the utility's rates and provisions applicable to the type or types of  
9 service furnished or to be furnished such customer, ~~and to assist the customer in obtaining the~~  
10 ~~rate schedule which is most advantageous to the customer's requirements.~~

11 (3)(a) By paper or electronic bill insert, billing statement, website, electronic notification, or  
12 other means agreed to by both the customer and the utility ~~appropriate means of~~  
13 ~~communication,~~ the utility shall give to each of its customers a summary of all available  
14 electrical major rates schedules that ~~which~~ are available to the class of which that customer is  
15 a member, ~~and~~

16 (b) The utility shall provide the information contained in paragraph (a) to all its customers:

- 17 1. Not later than 60 days after the commencement of service, ~~and~~  
18 2. Not less frequently than once each year, and  
19 3. Not later than 60 days after the utility has received approval of its new rate schedule  
20 applicable to such customer.

21 (c) In this subsection, "rate schedule" shall mean customer charge, energy charge, and demand  
22 charge, as set forth in Rule 25-6.100, F.A.C.

23 (d) By bill insert, or as a message on the customer bill, on a quarterly basis using the utility's  
24 normal billing cycle, each utility shall provide its customers the sources of generation for the  
25 most recent 12-month period available prior to the billing cycle. The sources of generation

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from existing law.

1 shall be stated by fuel type for utility generation and as "purchased power" for off-system  
2 purchases. The sources of generation are to be set forth as kilowatt-hour percentages of the  
3 total utility generation and purchased power.  
4 (4) Upon request of the any customer, but not more frequently than once each calendar year,  
5 the utility shall provide to the customer ~~transmit~~ a concise statement of the actual  
6 consumption of electric energy by that customer for each billing period during the previous 12  
7 months.

8 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.04(2)(f), (6),*  
9 *366.041(1), 366.05(1), (3), 366.06(1) FS. History—New 7-29-69, Amended 11-26-80, 6-28-82,*  
10 *10-15-84, Formerly 25-6.93, Amended 4-18-99, \_\_\_\_\_.*

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1 **25-6.097 Customer Deposits.**

2 (1) Deposit required; establishment of credit. Each utility's company's tariff shall state the  
3 methodology contain their specific criteria for determining the amount of the initial deposit  
4 charged for existing accounts and new service requests. The methodology shall conform to  
5 paragraph 366.05(1)(c), F.S. ~~Each utility may require an applicant for service to satisfactorily~~  
6 ~~establish credit, but such establishment of credit shall not relieve the customer from~~  
7 ~~complying with the utilities' rules for prompt payment of bills. Credit will be deemed so~~  
8 ~~established if:~~

9 ~~(a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for~~  
10 ~~the service requested. For residential customers, a satisfactory guarantor shall, at the~~  
11 ~~minimum, be a customer of the utility with a satisfactory payment record. For non-residential~~  
12 ~~customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall~~  
13 ~~develop minimum financial criteria that a proposed guarantor must meet to qualify as a~~  
14 ~~satisfactory guarantor. A copy of the criteria shall be made available to each new non-~~  
15 ~~residential customer upon request by the customer. A guarantor's liability shall be terminated~~  
16 ~~when a residential customer whose payment of bills is secured by the guarantor meets the~~  
17 ~~requirements of subsection (2) of this rule. Guarantors providing security for payment of~~  
18 ~~residential customers' bills shall only be liable for bills contracted at the service address~~  
19 ~~contained in the contract of guaranty.~~

20 ~~(b) The applicant pays a cash deposit.~~

21 ~~(c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety~~  
22 ~~bond.~~

23 (2) Each utility may require an applicant for service to satisfactorily establish credit, but such  
24 establishment of credit shall not relieve the customer from complying with the utility's rules  
25 for payment of bills. Credit will be deemed so established if:

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from existing law.

1 (a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for  
2 the service requested. For residential customers, a satisfactory guarantor shall, at the  
3 minimum, be a customer of the utility with a satisfactory payment record. For non-residential  
4 customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall  
5 develop minimum financial criteria that a proposed guarantor must meet to qualify as a  
6 satisfactory guarantor. A copy of the criteria shall be made available to each new non-  
7 residential customer upon request by the customer. A guarantor's liability shall be terminated  
8 when a residential customer whose payment of bills is secured by the guarantor meets the  
9 requirements of subsection (3) of this rule. Guarantors providing security for payment of  
10 residential customers' bills shall only be liable for bills contracted at the service address  
11 contained in the contract of guaranty.

12 (b) The applicant pays a cash deposit.

13 (c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety  
14 bond.

15 (3)(2) Refund of deposits. After a customer has established a satisfactory payment record and  
16 has had continuous service for a period of 23 months, the utility shall refund the residential  
17 customer's deposits and shall, at the utility's ~~its~~ option, either refund or pay the higher rate of  
18 interest specified below for nonresidential deposits, providing the customer has not, in the  
19 preceding 12 months:-

20 (a) Made more than one late payment of a bill (after the expiration of 20 days from the date of  
21 mailing or delivery by the utility).

22 (b) Paid with a check refused by a bank.

23 (c) Been disconnected for nonpayment, or at any time.

24 (d) Tampered with the electric meter, or

25 (e) Used service in a fraudulent or unauthorized manner.

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1 | ~~(4)(3) Deposits for existing accounts~~ New or additional deposits. A utility may charge require,  
2 | upon reasonable written notice to the customer of not less than thirty (30) days, a new deposit,  
3 | ~~where previously waived or returned, or additional deposit on an existing account~~, in order to  
4 | secure payment of current bills. Such request for a deposit shall be separate and apart from any  
5 | bill for service and shall explain the reason for the such new or additional deposit, provided,  
6 | however, that the total amount of the required deposit shall not exceed an amount equal to  
7 | ~~twice the average charges for actual usage of electric service for the twelve month period~~  
8 | ~~immediately prior to the date of notice. In the event the customer has had service less than~~  
9 | ~~twelve months, then the utility shall base its new or additional deposit upon the average actual~~  
10 | ~~monthly usage available.~~ The deposit charged must conform to the requirements of Section  
11 | 366.05(1)(c)1., F.S.

12 | ~~(5)(4) Interest on deposits.~~

13 | (a) Each electric utility which requires deposits to be made by its customers shall pay a  
14 | minimum interest on such deposits of 2 percent per annum. The utility shall pay an interest  
15 | rate of 3 percent per annum on deposits of nonresidential customers qualifying under  
16 | subsection ~~(3)(2)~~ when the utility elects not to refund such deposit after 23 months. ~~Such~~  
17 | ~~interest rates shall be applied within 45 days of the effective date of the rule.~~

18 | (b) The deposit interest shall be simple interest in all cases and settlement shall be made  
19 | annually, either in cash or by credit on the current bill. This does not prohibit any utility  
20 | paying a higher rate of interest than required by this rule. No customer depositor shall be  
21 | entitled to receive interest on a his deposit until and unless a customer relationship and the  
22 | deposit have been in existence for a continuous period of six months, then the customer he  
23 | shall be entitled to receive interest from the day of the commencement of the customer  
24 | relationship and the placement of deposit. Nothing in this rule shall prohibit a utility from  
25 | refunding at any time a deposit with any accrued interest.

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from existing law.

1 ~~(6)(5)~~ Record of deposits. Each utility ~~having on hand deposits from a customer or hereafter~~  
2 ~~receiving deposits from them~~ shall keep records to show:

- 3 (a) The name of each customer making the deposit;
- 4 (b) The premises for which the deposit applies ~~occupied by the customer~~;
- 5 (c) The date and amount of deposit; and
- 6 (d) Each transaction concerning the deposits such as interest payments, interest credited or  
7 similar transactions.

8 ~~(7)(6)~~ Receipt for deposit. The utility shall provide a receipt to the customer for any deposit  
9 received from the customer ~~A non-transferable certificate of deposit shall be issued to each~~  
10 ~~customer and means provided so that the customer may claim the deposit if the certificate is~~  
11 ~~lost. Where a new or additional deposit is required under subsection (3) of this rule, a~~  
12 ~~customer's cancelled check or validated bill coupon may serve as a deposit receipt.~~

13 ~~(8)(7)~~ Refund of deposit when service is discontinued. Upon termination of service, the  
14 deposit and accrued interest may be credited against the final account and the balance, if any,  
15 shall be returned promptly to the customer but in no event later than fifteen (15) days after  
16 service is discontinued.

17 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.041(1),*  
18 *366.05(1), 366.06(1) FS. History—New 7-29-69, Amended 5-9-76, 7-8-79, 6-10-80, 10-17-83,*  
19 *1-31-84, Formerly 25-6.97, Amended 10-13-88, 4-25-94, 3-14-99, 7-26-12, \_\_\_\_\_.*

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1 **25-6.100 Customer Billings.**

2 (1) Bills shall be rendered monthly and as promptly as possible following the reading of  
3 meters.

4 (2) ~~By January 1, 1983,~~ Each customer's bill shall show at least the following information:

5 (a) The meter reading and the date the meter is read, in addition to the meter reading for the  
6 previous period. If the meter reading is estimated, the word "estimated" shall be prominently  
7 displayed on the bill.

8 (b)1. Kilowatt-hours (KWH) consumed including on and off peak if customer is time-of-day  
9 metered.

10 2. Kilowatt (KW) demand, if applicable, including on and off peak if customer is time-of-day  
11 metered.

12 (c) The dollar amount of the bill, including separately:

13 1. Customer, Base or Basic Service charge.

14 2. Energy (KWH) charges, exclusive of fuel, in cents per KWH, ~~including amounts for on and~~  
15 ~~off peak if the customer is time of day metered,~~ and applicable cost recovery clause charges  
16 energy conservation costs.

17 3. Demand (KW) charges, exclusive of fuel, in dollar cost per KW, if applicable, for any  
18 demand charges included in the utility's rate structure and applicable cost recovery clause  
19 charges including amounts for on and off peak if the customer is time of day metered.

20 4. Fuel (KWH) charges ~~cost~~ in cents per KWH (no fuel costs shall be included in the Energy  
21 or Demand base charges ~~for demand or energy~~).

22 5. Total electric cost which, at a minimum, is the sum of ~~the customer charge, total fuel cost,~~  
23 ~~total energy cost, and total demand cost.~~ charges 1 through 4 above but can include other line  
24 item charges (e.g., Florida Gross Receipts Tax, etc.).

25 6. Franchise fees, if applicable.

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- 1 | 7. Taxes, as applicable on purchases of electricity by the customer.
- 2 | 8. Any discount or penalty, if applicable.
- 3 | 9. Past due balances shown separately.
- 4 | 10. The gross and net billing, if applicable.
- 5 | 11. The rate and amount of the "Asset Securitization Charge," pursuant to paragraph
- 6 | 366.95(4)(b), F.S., if applicable.
- 7 | (d) Identification of the applicable rate schedule.
- 8 | (e) The date by which payment must be made in order to benefit from any discount or avoid
- 9 | any penalty, if applicable.
- 10 | (f) The average daily KWH consumption for the current period and for the same period in the
- 11 | previous year, for the same customer at the same location.
- 12 | (g) The delinquent date or the date after which the bill becomes past due.
- 13 | (h) Any conversion factors which can be used by customers to convert from meter reading
- 14 | units to billing units. Where metering complexity makes this requirement impractical, a
- 15 | statement must be on the bill advising where and how ~~that~~ such information may be obtained
- 16 | from by contacting the utility's local business office.
- 17 | (i) Where budget billing is used, ~~the bill shall contain~~ the current month's actual consumption
- 18 | and charges should be shown separately from budgeted amounts.
- 19 | (j) If applicable, the information required by subsection 366.8260(4), F.S., and subsection
- 20 | 366.95(4), F.S.
- 21 | ~~(k)~~ (i) The name and address of the utility and plus the telephone toll-free number(s) and web
- 22 | address where customers can receive information about their bill as well as locations where
- 23 | the customers can pay their utility bill. Such information must identify those locations where
- 24 | no surcharge is incurred.
- 25 | (3) When there is sufficient cause, estimated bills may be submitted provided that with the

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1 third consecutive estimated bill the company shall contact the customer explaining the reason  
2 for the estimated billing and who to contact in order to obtain an actual meter reading. An  
3 actual meter reading must be taken at least once every six months. If an estimated bill appears  
4 to be abnormal when a subsequent reading is obtained, the bill for the entire period shall be  
5 computed at a rate which contemplates the use of service during the entire period and the  
6 estimated bill shall be deducted. If there is reasonable evidence that such use occurred during  
7 only one billing period, the bill shall be computed.

8 (4) The advancement or postponement of the regular meter reading date is governed by  
9 subsection 366.05(1)(b), F.S. may be advanced or postponed not more than five days without  
10 a pro-ration of the billing for the period.

11 (5) Whenever the period of service for which an initial or opening bill is rendered is less than  
12 the normal billing period, the charges applicable to such service, including minimum charges,  
13 shall be prorated ~~pro-rated~~ except that initial or opening bills need not be rendered but the  
14 energy used during such period may be carried over to and included in the next regular  
15 monthly billing.

16 (6) The practices employed by each utility regarding customer billing shall have uniform  
17 application to all customers on the same rate schedule.

18 (7) Franchise Fees.

19 (a) When a municipality charges a utility any franchise fee, the utility may collect that fee only  
20 from its customers receiving service within that municipality. When a county charges a utility  
21 any franchise fee, the utility may collect that fee only from its customers receiving service  
22 within that county.

23 (b) A utility may not incorporate any franchise fee into its other rates for service.

24 (c) For the purposes of this subsection, the term "utility" shall mean any electric utility, rural  
25 electric cooperative, or municipal electric utility.

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from existing law.

1 (d) This subsection shall not be construed as granting a municipality or county the authority to  
2 charge a franchise fee. This subsection only specifies the method of collection of a franchise  
3 fee, if a municipality or county, having authority to do so, charges a franchise fee.

4 *Rulemaking Authority 366.05(1), 366.04(2) FS. Law Implemented 366.03, 366.04(2),*  
5 *366.041(1), 366.05(1), 366.051, 366.06(1), 366.8260(4), 366.95(4) FS. History—New 2-25-76,*  
6 *Amended 4-13-80, 12-29-81, 6-28-82, 5-16-83, 2-4-13, \_\_\_\_\_.*

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1 **25-7.079 Information to Customers.**

2 (1) ~~Each utility shall, upon request, give its customers such information and assistance as is~~  
3 ~~reasonable, in order that the customer may secure safe and efficient service.~~ The utility shall,  
4 when requested; by the customer, provide to the any customer information as to the method of  
5 reading meters and derivation of billing therefrom.

6 (2) Upon request of the any customer, ~~it shall be the duty of the utility shall~~ to provide to the  
7 customer; a copy and/or explanation of the utility's rates applicable to the type or types of  
8 service furnished or to be furnished to the such customer, ~~and to assist him in obtaining the~~  
9 ~~rate which is most advantageous for his service requirements.~~

10 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.03, 366.05(1), 366.06 FS.*

11 *History—New 1-8-75, Repromulgated 5-4-75, Formerly 25-7.79, Amended \_\_\_\_\_.*

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1 **25-7.083 Customer Deposits**

2 (1) ~~Deposit required; establishment of credit.~~ Each utility's company's tariff shall state the  
3 methodology contain their specific criteria for determining the amount of the initial deposit  
4 charged for existing accounts and new service requests. The methodology shall conform to  
5 Section 366.05(1)(c), F.S. Each utility may require an applicant for service to satisfactorily  
6 establish credit, but such establishment of credit shall not relieve the customer from  
7 complying with the utilities' rules for prompt payment of bills. Credit will be deemed so  
8 established if:

9 (a) ~~The applicant for service furnishes a satisfactory guarantor to secure payment of bills for~~  
10 ~~the service requested. For residential customers, a satisfactory guarantor shall, at the~~  
11 ~~minimum, be a customer of the utility with a satisfactory payment record. For non-residential~~  
12 ~~customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall~~  
13 ~~develop minimum financial criteria that a proposed guarantor must meet to qualify as a~~  
14 ~~satisfactory guarantor. A copy of the criteria shall be made available to each new non-~~  
15 ~~residential customer upon request by the customer. A guarantor's liability shall be terminated~~  
16 ~~when a residential customer whose payment of bills is secured by the guarantor meets the~~  
17 ~~requirements of subsection (6) of this rule. Guarantors providing security for payment of~~  
18 ~~residential customers' bills shall only be liable for bills contracted at the service address~~  
19 ~~contained in the contract of guaranty.~~

20 (b) ~~The applicant pays a cash deposit.~~

21 (c) ~~The applicant for service furnishes an irrevocable letter of credit from a bank or a surety~~  
22 ~~bond.~~

23 (2) Each utility may require an applicant for service to satisfactorily establish credit, but such  
24 establishment of credit shall not relieve the customer from complying with the utility's rules  
25 for payment of bills. Credit will be deemed so established if:

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1 (a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for  
2 the service requested. For residential customers, a satisfactory guarantor shall, at the  
3 minimum, be a customer of the utility with a satisfactory payment record. For non-residential  
4 customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall  
5 develop minimum financial criteria that a proposed guarantor must meet to qualify as a  
6 satisfactory guarantor. A copy of the criteria shall be made available to each new non-  
7 residential customer upon request by the customer. A guarantor's liability shall be terminated  
8 when a residential customer whose payment of bills is secured by the guarantor meets the  
9 requirements of subsection (7) of this rule. Guarantors providing security for payment of  
10 residential customers' bills shall only be liable for bills contracted at the service address  
11 contained in the contract of guaranty.

12 (b) The applicant pays a cash deposit.

13 (c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety  
14 bond.

15 ~~(3)(2) Receipt for deposit. The utility shall provide a receipt to the customer for any deposit~~  
16 ~~received from the customer. A non-transferable certificate of deposit shall be issued to each~~  
17 ~~customer and means provided so that the customer may claim the deposit if the certificate is~~  
18 ~~lost. When a new or additional deposit is required under subsection (3) of this rule a~~  
19 ~~customer's cancelled check or validated bill coupon may serve as a deposit receipt.~~

20 ~~(4)(3) Deposits for existing accounts~~ New or additional deposits. A utility may charge require,  
21 upon reasonable written notice to the customer of not less than 30 days, ~~such request or notice~~  
22 ~~being separate and apart from any bill for service, a new deposit, where previously waived or~~  
23 ~~returned, or an additional~~ a deposit on an existing account, in order to secure payment of  
24 ~~current bills; provided, however, that the total amount of the required deposit shall not exceed~~  
25 ~~an amount equal to the average actual charges for gas service for two billing periods for the~~

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1 ~~12-month period immediately prior to the date of notice. In the event the customer has had~~  
2 ~~service less than 12 months, then the utility shall base its new or additional deposit upon the~~  
3 ~~average actual monthly billing available. Such request for a deposit shall be separate and apart~~  
4 ~~from any bill for service and shall explain the reason for the deposit. The deposit charged must~~  
5 ~~conform to the requirements of Section 366.05(1)(c)1., F.S.~~

6 ~~(5)(4) Record of deposit. Each utility having on hand deposits from customers or hereafter~~  
7 ~~receiving deposits from them shall keep records to show:~~

8 (a) The name of each customer making the deposit;

9 (b) The premises for which the deposit applies ~~occupied by the customer;~~

10 (c) The date and amount of deposit; and

11 (d) Each transaction concerning the deposit such as interest payments, interest credited or  
12 similar transactions.

13 ~~(6)(5) Interest on deposits.~~

14 (a) Each gas utility which requests deposits to be made by its customers shall pay a minimum  
15 interest on such deposits of 2 percent per annum. The utility shall pay a minimum interest rate  
16 of 3 percent per annum on deposits of nonresidential customers qualifying under subsection  
17 ~~(7)(6)~~ below when the utility elects not to refund such a deposit after 23 months. ~~Such interest~~  
18 ~~rates shall be applied within 45 days of the effective date of the rule.~~

19 (b) The deposit interest shall be simple interest in all cases and settlement shall be made  
20 annually, either in cash or by credit on the current bill. This does not prohibit any utility  
21 paying a higher rate of interest than required by this rule. No customer depositor shall be  
22 entitled to receive interest on a ~~his~~ deposit until and unless a customer relationship and the  
23 deposit have been in existence for a continuous period of six months, then the customer ~~he~~  
24 shall be entitled to receive interest from the day of the commencement of the customer  
25 relationship and the placement of deposit. Nothing in this rule shall prohibit a utility from

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1 refunding at any time a deposit with any accrued interest.  
2 ~~(7)(6)~~ Refund of deposit. After a customer has established a satisfactory payment record and  
3 has had continuous service for a period of 23 months, the utility shall refund the residential  
4 customer's deposits and shall, at the utility's ~~its~~ option, either refund or pay the higher rate of  
5 interest specified above for nonresidential deposits, provided the customer has not, in the  
6 preceding 12 months:

- 7 (a) Made more than one late payment of a bill (after the expiration of 20 days from the date of
- 8 mailing or delivery by the utility);
- 9 (b) Paid with check refused by a bank;
- 10 (c) Been disconnected for nonpayment, or at any time;
- 11 (d) Tampered with the gas meter; or
- 12 (e) Used service in a fraudulent or unauthorized manner. ~~Nothing in this rule shall prohibit the~~
- 13 ~~company from refunding at any time a deposit with any accrued interest.~~

14 ~~(8)(7)~~ Refund of deposit when service is disconnected. Upon termination of service, the  
15 deposit and accrued interest may be credited against the final account and the balance, if any,  
16 shall be returned promptly to the customer but in no event later than fifteen (15) days after  
17 service is discontinued.

18 *Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.05(1) FS.*  
19 *History—New 1-8-75, Amended 6-15-76, 6-10-80, 1-31-84, Formerly 25-7.83, Amended 10-13-*  
20 *88, 4-25-94, 3-14-99, 7-26-12, \_\_\_\_\_.*

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1 **25-7.085 Customer Billing.**

2 (1) Bills shall be rendered monthly. With the exception of a duplicate bill, each customer's bill  
3 shall show at least the following information:

4 (a) The meter reading and the date the meter was read plus the meter reading for the previous  
5 period. When an electronic meter is used, the gas volume consumed for the billing month may  
6 be shown. If the gas consumption is estimated, the word "estimated" shall prominently appear  
7 on the bill.

8 (b) Therms and cubic feet consumed.

9 (c) The total dollar amount of the bill, indicating separately:

10 1. Customer, Base or Basic Service charge.

11 2. Energy (therm) charges exclusive of fuel cost in cents per therm.

12 3. Fuel (therm) charges cost in cents per therm (no fuel costs shall be included in the charge  
13 for energy).

14 4. Total gas cost which at a minimum is the sum of charges 1 through 3 above but can include  
15 other line item charges (e.g., Florida Gross Receipts Tax) ~~the customer charge, total fuel cost~~  
16 ~~and total energy cost.~~

17 5. Franchise fees, if applicable.

18 6. Taxes, as applicable on purchases of gas by the customer.

19 7. Any discount or penalty, if applicable.

20 8. Past due balances.

21 9. The gross and net billing, if applicable.

22 (d) Identification of the applicable rate schedule.

23 (e) The date by which payment must be made in order to benefit from any discount or avoid  
24 any penalty, if applicable.

25 (f) The average daily therm consumption for the current period and for the same period in the

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

- 1 previous year, for the same customer at the same location.
- 2 (g) The delinquent date or the date after which the bill becomes past due.
- 3 (h) Any conversion factors which can be used by customers to convert from meter reading  
4 units to billing units.
- 5 (i) Where budget billing is used, the bill shall contain the current month's consumption and  
6 charges separately from budgeted amounts.
- 7 (j) The name of the utility plus the address, ~~and~~ telephone number(s) and web address ~~of the~~  
8 ~~local office~~ where the bill can be paid and questions concerning the bill can be answered.
- 9 (2) All gas utilities shall charge for gas service on a thermal basis instead of on a volume  
10 basis. The provisions governing customer billing on a thermal basis shall be as follows:
- 11 (a) The unit of service shall be the "Therm."
- 12 (b) The number of therms which shall have been taken by consumer during a given period  
13 shall be determined by multiplying the difference in the meter readings in cubic feet at the  
14 beginning and end of the period by the conversion factors in paragraph (1)(h) including a  
15 heating-value factor which has been determined as prescribed in paragraph (c) below.
- 16 (c) The heating-value factor for gas utilities receiving and distributing natural gas shall be the  
17 average thermal value of the natural gas received and distributed during the preceding month.  
18 In case the average heating value during the calendar month has been below the standard, then  
19 the value to be used in determining the factor shall be the heating value standard minus a  
20 deduction of one percent (1%) for each one percent (1%) or fraction thereof that the average  
21 heating value has been below the standard.
- 22 (d) The consumer shall be billed to the nearest one-tenth of a therm.
- 23 (3) Whenever the period of service for which an initial or opening bill would be rendered is  
24 less than the normal billing period, no bill for that period need be rendered if the volume  
25 amount consumed is carried over and included in the next regular monthly billing. If,

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1 | however, a bill for such period is rendered, the applicable charges, including minimum  
2 | charges, shall be prorated.

3 | (4) When there is sufficient cause, estimated billings may be used by a utility provided that  
4 | with the customer's third consecutive estimated billing the customer is informed of the reason  
5 | for the estimation and whom to contact to obtain an actual meter reading if one is desired. An  
6 | actual meter reading must be taken at least once every six months. If an estimated bill appears  
7 | to be abnormal once an actual meter reading is obtained, the bill for the entire estimation  
8 | period shall be computed at a rate based on use of service during the entire period and the  
9 | estimated bill shall be deducted. If there is substantial evidence that such use occurred during  
10 | only one billing period, the bill shall be computed.

11 | (5) The advancement or postponement of rRegular meter reading dates is governed by  
12 | subsection 366.05(1)(b), F.S. may be advanced or postponed not more than five days without  
13 | a proration of the billing for the period.

14 | (6) The practices employed by each utility regarding customer billing shall have uniform  
15 | application to all customers on the same rate schedule.

16 | (7) Franchise Fees.

17 | (a) When a municipality charges a utility any franchise fee, the utility may collect that fee only  
18 | from its customers receiving service within that municipality. When a county charges a utility  
19 | any franchise fee, the county may collect that fee only from its customers receiving service  
20 | within that county.

21 | (b) A utility company may not incorporate any franchise fee into its other rates for service.

22 | (c) This subsection shall not be construed as granting a municipality or county the authority to  
23 | charge a franchise fee. This subsection only specifies the method of collection of a franchise  
24 | fee, if a municipality or county, having authority to do so, charges a franchise fee.

25 | *Rulemaking Authority 366.05(1) FS. Law Implemented 366.05(1), 366.06(1) FS. History—New*

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

1 12-15-73, Repromulgated 1-8-75, Amended 5-4-75, 11-21-82, 12-26-82, Formerly 25-7.85,  
2 Amended 10-10-95, 7-3-96, \_\_\_\_\_.

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

## Notice of Proposed Rule

### **PUBLIC SERVICE COMMISSION**

#### **RULE NOS.:RULE TITLES:**

25-6.093 Information to Customers

25-6.097 Customer Deposits

25-6.100 Customer Billings

**PURPOSE AND EFFECT:** To conform the rules to the recent amendments to Section 366.05, F.S., and Section 366.95, F.S., and to clarify and simplify the rules and delete unnecessary and redundant rule language.

Docket No. 150241-PU

**SUMMARY:** The rule amendments make the rules consistent with recent amendments to Section 366.05, F.S. The rule amendments also implement billing notice requirements in Section 366.95, F.S., for electric utilities that have obtained a financing order for nuclear assets and caused nuclear asset recovery bonds to be issued.

Rule 25-6.093, F.A.C. – Amendments state that by paper or electronic bill insert, billing statement, website or electronic notification, the utility shall give to each of its customers a summary of all available electric rates. The amendments also clarify the rule and remove language that is redundant to the implementing statute.

Rule 25-6.097, F.A.C. – Amendments state that the methodology for determining the amount of customer deposits shall conform to paragraph 366.05(1)(c), F.S. The amendments also clarify the rule and remove language that is redundant to the implementing statute.

Rule 25-6.100, F.A.C. – Amendments implement paragraph 366.95(4)(b), F.S., where applicable, that the rate and amount of the “Asset Securitization Charge” shall be separately itemized on each customer bill. The amendments also clarify the rule and remove language that is redundant to the implementing statute.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule amendments will not have an adverse impact on economic growth, business competitiveness, or small business and are not likely to directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within one year after implementation of the rules, or in excess of \$1 million within five years after implementation. The rules are also not likely to have an adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after implementation of the rule.

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

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

**RULEMAKING AUTHORITY:** 350.127(2), 366.04(2), 366.05(1) FS.

**LAW IMPLEMENTED:** 366.03, 366.04(2), 366.04(2)(f) and (6), 366.041(1), 366.05(1)(b), 366.05(1)(c), 366.05(1)(d), 366.05(3), 366.051, 366.06(1) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Pamela H. Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, [phpage@psc.state.fl.us](mailto:phpage@psc.state.fl.us)

**THE FULL TEXT OF THE PROPOSED RULE IS:**

25-6.093 Information to Customers.

(1) ~~Each utility shall, upon request of any customer, give such information and assistance as is reasonable, in order that the customer may secure safe and efficient service.~~ Upon the customer's request, the utility shall provide

to the any customer information as to the method of reading meters and the derivation of billing therefrom, the billing cycle and approximate date of monthly meter reading.

(2) Upon request of the any customer, the utility shall is required to provide to the customer a copy and explanation of the utility's rates and provisions applicable to the type or types of service furnished or to be furnished such customer, and to assist the customer in obtaining the rate schedule which is most advantageous to the customer's requirements.

(3)(a) By paper or electronic bill insert, billing statement, website, electronic notification, or other means agreed to by both the customer and the utility appropriate means of communication, the utility shall give to each of its customers a summary of all available electrical major rates schedules that which are available to the class of which that customer is a member, and

(b) The utility shall provide the information contained in paragraph (a) to all its customers:

1. Not later than 60 days after the commencement of service, and

2. through 3, No change.

(c) through (d), No change.

(4) Upon request of the any customer, but not more frequently than once each calendar year, the utility shall provide to the customer transmit a concise statement of the actual consumption of electric energy by that customer for each billing period during the previous 12 months.

*Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.04(2)(f), (6), 366.041(1), 366.05(1), (3), 366.06(1) FS. History—New 7-29-69, Amended 11-26-80, 6-28-82, 10-15-84, Formerly 25-6.93, Amended 4-18-99, \_\_\_\_\_.*

#### 25-6.097 Customer Deposits.

(1) ~~Deposit required; establishment of credit.~~ Each utility's company's tariff shall state the methodology contain their specific criteria for determining the amount of the initial deposit charged for existing accounts and new service requests. The methodology shall conform to paragraph 366.05(1)(c), F.S. Each utility may require an applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with the utilities' rules for prompt payment of bills. Credit will be deemed so established if:

(a) ~~The applicant for service furnishes a satisfactory guarantor to secure payment of bills for the service requested. For residential customers, a satisfactory guarantor shall, at the minimum, be a customer of the utility with a satisfactory payment record. For non-residential customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall develop minimum financial criteria that a proposed guarantor must meet to qualify as a satisfactory guarantor. A copy of the criteria shall be made available to each new non-residential customer upon request by the customer. A guarantor's liability shall be terminated when a residential customer whose payment of bills is secured by the guarantor meets the requirements of subsection (2) of this rule. Guarantors providing security for payment of residential customers' bills shall only be liable for bills contracted at the service address contained in the contract of guaranty.~~

(b) ~~The applicant pays a cash deposit.~~

(c) ~~The applicant for service furnishes an irrevocable letter of credit from a bank or a surety bond.~~

(2) Each utility may require an applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with the utility's rules for payment of bills. Credit will be deemed so established if:

(a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for the service requested. For residential customers, a satisfactory guarantor shall, at the minimum, be a customer of the utility with a satisfactory payment record. For non-residential customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall develop minimum financial criteria that a proposed guarantor must meet to qualify as a satisfactory guarantor. A copy of the criteria shall be made available to each new non-residential customer upon request by the customer. A guarantor's liability shall be terminated when a residential customer whose payment of bills is secured by the guarantor meets the requirements of subsection (3) of this rule. Guarantors providing security for payment of residential customers' bills shall only be liable for bills contracted at the service address contained in the contract of guaranty.

(b) The applicant pays a cash deposit.

(c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety bond.

~~(3)(2)~~ Refund of deposits. After a customer has established a satisfactory payment record and has had continuous service for a period of 23 months, the utility shall refund the residential customer's deposits and shall, at the utility's its option, either refund or pay the higher rate of interest specified below for nonresidential deposits, providing the customer has not, in the preceding 12 months:-

(a) through (e), No change.

~~(4)(3) Deposits for existing accounts New or additional deposits.~~ A utility may charge require, upon reasonable written notice to the customer of not less than thirty (30) days, a new deposit, where previously waived or returned, or additional deposit on an existing account; in order to secure payment of current bills. Such request for a deposit shall be separate and apart from any bill for service and shall explain the reason for the such new or additional deposit, provided, however, that the total amount of the required deposit shall not exceed an amount equal to twice the average charges for actual usage of electric service for the twelve month period immediately prior to the date of notice. In the event the customer has had service less than twelve months, then the utility shall base its new or additional deposit upon the average actual monthly usage available. The deposit charged must conform to the requirements of Section 366.05(1)(c)1., F.S.

~~(5)(4)~~ Interest on deposits.

(a) Each electric utility which requires deposits to be made by its customers shall pay a minimum interest on such deposits of 2 percent per annum. The utility shall pay an interest rate of 3 percent per annum on deposits of nonresidential customers qualifying under subsection (32) when the utility elects not to refund such deposit after 23 months. ~~Such interest rates shall be applied within 45 days of the effective date of the rule.~~

(b) The deposit interest shall be simple interest in all cases and settlement shall be made annually, either in cash or by credit on the current bill. This does not prohibit any utility paying a higher rate of interest than required by this rule. No customer depositor shall be entitled to receive interest on a his deposit until and unless a customer relationship and the deposit have been in existence for a continuous period of six months, then the customer ~~he~~ shall be entitled to receive interest from the day of the commencement of the customer relationship and the placement of deposit. Nothing in this rule shall prohibit a utility from refunding at any time a deposit with any accrued interest.

~~(6)(5)~~ Record of deposits. Each utility ~~having on hand deposits from a customer or hereafter receiving deposits from them~~ shall keep records to show:

(a) No change;

(b) The premises for which the deposit applies ~~occupied by the customer~~;

(c) through (d), No change.

~~(7)(6)~~ Receipt for deposit. The utility shall provide a receipt to the customer for any deposit received from the customer ~~A non-transferable certificate of deposit shall be issued to each customer and means provided so that the customer may claim the deposit if the certificate is lost.~~ Where a new or additional deposit is required under subsection (3) of this rule, a customer's cancelled check or validated bill coupon may serve as a deposit receipt.

~~(8)(7)~~ Refund of deposit when service is discontinued. Upon termination of service, the deposit and accrued interest may be credited against the final account and the balance, if any, shall be returned promptly to the customer but in no event later than fifteen (15) days after service is discontinued.

*Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.04(1), 366.05(1), 366.06(1) FS. History--New 7-29-69, Amended 5-9-76, 7-8-79, 6-10-80, 10-17-83, 1-31-84, Formerly 25-6.97, Amended 10-13-88, 4-25-94, 3-14-99, 7-26-12,*

#### 25-6.100 Customer Billings.

(1) No change.

(2) ~~By January 1, 1983,~~ Each customer's bill shall show at least the following information:

(a) through (c), No change:

1. Customer, Base or Basic Service charge.

2. Energy (KWH) charges, exclusive of fuel, in cents per KWH, ~~including amounts for on and off peak if the customer is time-of-day metered,~~ and applicable cost recovery clause charges ~~energy conservation costs.~~

3. Demand (KW) charges, exclusive of fuel, in dollar cost per KW, if applicable, for any demand charges included in the utility's rate structure and applicable cost recovery clause charges ~~including amounts for on and off peak if the customer is time-of-day metered.~~



4. Fuel (KWH) charges cost in cents per KWH (no fuel costs shall be included in the Energy or Demand base charges for demand or energy).

5. Total electric cost which, at a minimum, is the sum of ~~the customer charge, total fuel cost, total energy cost, and total demand cost.~~ charges 1 through 4 above but can include other line item charges (e.g., Florida Gross Receipts Tax, etc.).

6. through 10, No change.

11. The rate and amount of the "Asset Securitization Charge," pursuant to paragraph 366.95(4)(b), F.S., if applicable.

(d) through (g), No change.

(h) Any conversion factors which can be used by customers to convert from meter reading units to billing units. Where metering complexity makes this requirement impractical, a statement must be on the bill advising where and how that such information may be obtained ~~from by contacting the utility's local business office.~~

(i) Where budget billing is used, ~~the bill shall contain~~ the current month's actual consumption and charges should be shown separately from budgeted amounts.

(j) If applicable, the information required by subsection 366.8260(4), F.S., and subsection 366.95(4), F.S.

~~(k)~~(j) The name and address of the utility and plus the telephone toll-free number(s) and web address where customers can receive information about their bill as well as locations where the customers can pay their utility bill. Such information must identify those locations where no surcharge is incurred.

(3) No change.

(4) The advancement or postponement of tThe regular meter reading date is governed by subsection 366.05(1)(b), F.S. may be advanced or postponed not more than five days without a pro-ration of the billing for the period.

(5) Whenever the period of service for which an initial or opening bill is rendered is less than the normal billing period, the charges applicable to such service, including minimum charges, shall be prorated ~~pro-rated~~ except that initial or opening bills need not be rendered but the energy used during such period may be carried over to and included in the next regular monthly billing.

(6) through 7, No change.

*Rulemaking Authority 366.05(1), 366.04(2) FS. Law Implemented 366.03, 366.04(2), 366.041(1), 366.05(1), 366.05I, 366.06(1), 366.8260(4), 366.95(4) FS. History—New 2-25-76, Amended 4-13-80, 12-29-81, 6-28-82, 5-16-83, 2-4-13, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Elisabeth Draper

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 41, Number 187, September 25, 2015

## Notice of Proposed Rule

### **PUBLIC SERVICE COMMISSION**

#### **RULE NOS.:RULE TITLES:**

25-7.079Information to Customers

25-7.083Customer Deposits

25-7.085Customer Billing

**PURPOSE AND EFFECT:** To conform the rules to the recent amendments to Section 366.05, F.S., and to clarify and simplify the rules and delete unnecessary and redundant rule language.

Docket No.150241-PU

**SUMMARY:** The rule amendments make the rules consistent with recent amendments to Section 366.05, F.S.

Rules 25-7.079, F.A.C. – Amendments clarify that upon request of the customer, the utility shall provide to the customer a copy and/or explanation of the utility's rates applicable to the type or types of service furnished or to be furnished to the customer. The amendments also remove language that is redundant to the implementing statute.

Rule 25-7.083, F.A.C. – Amendments state that the methodology for determining the amount of customer deposits shall conform to paragraph 366.05(1)(c), F.S. The amendments also clarify the rule and remove language that is redundant to the implementing statute.

Rule 25-7.085, F.A.C. – Amendments state that the advancement or postponement of regular meter reading dates is governed by subsection 366.05(1)(b), F.S. The amendments also clarify the rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:** The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule amendments will not directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in this state within one year after implementation of the rules, or in excess of \$1 million within five years after implementation. The rules are also not likely to have an adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after implementation of the rule.

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

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

**RULEMAKING AUTHORITY:** 350.127(2), 366.05(1), 366.05(1)(a), FS.

**LAW IMPLEMENTED:** 366.03, 366.05(1), 366.05(1)(b), 366.05(1)(c), 366.05(1)(d), 366.06, 366.06(1) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Pamela H. Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, [phpage@psc.state.fl.us](mailto:phpage@psc.state.fl.us)

**THE FULL TEXT OF THE PROPOSED RULE IS:**

25-7.079 Information to Customers.

(1) ~~Each utility shall, upon request, give its customers such information and assistance as is reasonable, in order that the customer may secure safe and efficient service.~~ The utility shall, when requested, by the customer, provide to the any customer information as to the method of reading meters and derivation of billing therefrom.

(2) Upon request of the any customer, ~~it shall be the duty of the utility shall to~~ provide to the customer, a copy and/or explanation of the utility's rates applicable to the type or types of service furnished or to be furnished to the ~~such~~ customer, ~~and to assist him in obtaining the rate which is most advantageous for his service requirements.~~

*Rulemaking Authority 366.05(1) FS. Law Implemented 366.03, 366.05(1), 366.06 FS. History—New 1-8-75, Repromulgated 5-4-*

25-7.083 Customer Deposits

~~(1) Deposit required; establishment of credit. Each utility's company's tariff shall state the methodology contain their specific criteria for determining the amount of the initial deposit charged for existing accounts and new service requests. The methodology shall conform to Section 366.05(1)(c), F.S. Each utility may require an applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with the utilities' rules for prompt payment of bills. Credit will be deemed so established if:~~

~~(a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for the service requested. For residential customers, a satisfactory guarantor shall, at the minimum, be a customer of the utility with a satisfactory payment record. For non-residential customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall develop minimum financial criteria that a proposed guarantor must meet to qualify as a satisfactory guarantor. A copy of the criteria shall be made available to each new non-residential customer upon request by the customer. A guarantor's liability shall be terminated when a residential customer whose payment of bills is secured by the guarantor meets the requirements of subsection (6) of this rule. Guarantors providing security for payment of residential customers' bills shall only be liable for bills contracted at the service address contained in the contract of guaranty.~~

~~(b) The applicant pays a cash deposit.~~

~~(c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety bond.~~

~~(2) Each utility may require an applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with the utility's rules for payment of bills. Credit will be deemed so established if:~~

~~(a) The applicant for service furnishes a satisfactory guarantor to secure payment of bills for the service requested. For residential customers, a satisfactory guarantor shall, at the minimum, be a customer of the utility with a satisfactory payment record. For non-residential customers, a satisfactory guarantor need not be a customer of the utility. Each utility shall develop minimum financial criteria that a proposed guarantor must meet to qualify as a satisfactory guarantor. A copy of the criteria shall be made available to each new non-residential customer upon request by the customer. A guarantor's liability shall be terminated when a residential customer whose payment of bills is secured by the guarantor meets the requirements of subsection (7) of this rule. Guarantors providing security for payment of residential customers' bills shall only be liable for bills contracted at the service address contained in the contract of guaranty.~~

~~(b) The applicant pays a cash deposit.~~

~~(c) The applicant for service furnishes an irrevocable letter of credit from a bank or a surety bond.~~

~~(3)(2) Receipt for deposit. The utility shall provide a receipt to the customer for any deposit received from the customer. A non-transferable certificate of deposit shall be issued to each customer and means provided so that the customer may claim the deposit if the certificate is lost. When a new or additional deposit is required under subsection (3) of this rule a customer's cancelled check or validated bill coupon may serve as a deposit receipt.~~

~~(4)(3) Deposits for existing accounts New or additional deposits. A utility may charge require, upon reasonable written notice to the customer of not less than 30 days, such request or notice being separate and apart from any bill for service, a new deposit, where previously waived or returned, or an additional a deposit on an existing account, in order to secure payment of current bills; provided, however, that the total amount of the required deposit shall not exceed an amount equal to the average actual charges for gas service for two billing periods for the 12-month period immediately prior to the date of notice. In the event the customer has had service less than 12 months, then the utility shall base its new or additional deposit upon the average actual monthly billing available. Such request for a deposit shall be separate and apart from any bill for service and shall explain the reason for the deposit. The deposit charged must conform to the requirements of Section 366.05(1)(c)1., F.S.~~

~~(5)(4) Record of deposit. Each utility having on hand deposits from customers or hereafter receiving deposits from them shall keep records to show:~~

~~(a) No change.~~

~~(b) The premises for which the deposit applies occupied by the customer;~~

~~(c) through (d) No change.~~

~~(6)~~(5) Interest on deposits.

(a) Each gas utility which requests deposits to be made by its customers shall pay a minimum interest on such deposits of 2 percent per annum. The utility shall pay a minimum interest rate of 3 percent per annum on deposits of nonresidential customers qualifying under subsection (7)(6) below when the utility elects not to refund such a deposit after 23 months. ~~Such interest rates shall be applied within 45 days of the effective date of the rule.~~

(b) The deposit interest shall be simple interest in all cases and settlement shall be made annually, either in cash or by credit on the current bill. This does not prohibit any utility paying a higher rate of interest than required by this rule. No customer depositor shall be entitled to receive interest on a his deposit until and unless a customer relationship and the deposit have been in existence for a continuous period of six months, then the customer he shall be entitled to receive interest from the day of the commencement of the customer relationship and the placement of deposit. Nothing in this rule shall prohibit a utility from refunding at any time a deposit with any accrued interest.

~~(7)~~(6) Refund of deposit. After a customer has established a satisfactory payment record and has had continuous service for a period of 23 months, the utility shall refund the residential customer's deposits and shall, at the utility's its option, either refund or pay the higher rate of interest specified above for nonresidential deposits, provided the customer has not, in the preceding 12 months:

(a) through (d) no change

(e) Used service in a fraudulent or unauthorized manner. ~~Nothing in this rule shall prohibit the company from refunding at any time a deposit with any accrued interest.~~

~~(8)~~(7) Refund of deposit when service is disconnected. Upon termination of service, the deposit and accrued interest may be credited against the final account and the balance, if any, shall be returned promptly to the customer but in no event later than fifteen (15) days after service is discontinued.

*Rulemaking Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.05(1) FS. History—New 1-8-75, Amended 6-15-76, 6-10-80, 1-31-84, Formerly 25-7.83, Amended 10-13-88, 4-25-94, 3-14-99, 7-26-12, \_\_\_\_\_.*

25-7.085 Customer Billing.

(1)(a) through (c) No change.

1. Customer, Base or Basic Service charge.

2. Energy (therm) charges exclusive of fuel cost in cents per therm.

3. Fuel (therm) charges cost in cents per therm (no fuel costs shall be included in the charge for energy).

4. Total gas cost which at a minimum is the sum of charges 1 through 3 above but can include other line item charges (e.g., Florida Gross Receipts Tax) the customer charge, total fuel cost and total energy cost.

5. through 9 (i) No change

(j) The name of the utility plus the address, and telephone number(s) and web address of the local office where the bill can be paid and questions concerning the bill can be answered.

(2) through 4, No change

(5) The advancement or postponement of rRegular meter reading dates is governed by subsection 366.05(1)(b), F.S. may be advanced or postponed not more than five days without a proration of the billing for the period.

(6) through 7 (a) No change.

(b) A utility company may not incorporate any franchise fee into its other rates for service.

(c) No change

*Rulemaking Authority 366.05(1) FS. Law Implemented 366.05(1), 366.06(1) FS. History—New 12-15-73, Repromulgated 1-8-75, Amended 5-4-75, 11-21-82, 12-26-82, Formerly 25-7.85, Amended 10-10-95, 7-3-96, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Elisabeth Draper

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 41, Number 187, September 25, 2015

Rules, 25.6-093, 25-6.097, 25-6.100,  
25-7.079, 25-7.083 and 25-7.085,  
F.A.C.  
Docket No. 150241-PU

STATEMENT OF FACTS AND CIRCUMSTANCES  
JUSTIFYING RULE

Amendments to the rules conform the rules to recent statutory amendments to Section 366.05 and Section 366.95, F.S. Section 366.05, F.S., imposes new requirements for electric and gas utilities on billings, deposits, and information to customers. Section 366.95, F.S., requires billing notices for electric utilities that have obtained a financing order for nuclear assets and caused nuclear asset recovery bonds to be issued. Rule amendments also update and clarify the rules.

STATEMENT ON FEDERAL STANDARDS

There are no federal standards for these rules.

State of Florida



## Public Service Commission

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

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

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**DATE:** November 6, 2015  
**TO:** Pamela H. Page, Senior Attorney, Office of the General Counsel  
**FROM:** Clyde D. Rome, Public Utility Analyst II, Division of Economics *CDR*  
**RE:** Statement of Estimated Regulatory Costs for Recommended Revisions to Chapters 25-6 (Electric Service by Electric Public Utilities) and 25-7 (Gas Service by Gas Public Utilities), Florida Administrative Code (F.A.C.)

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During the 2015 session, the Florida Legislature enacted House Bill 7109 which was incorporated into Chapter 2015-129, Laws of Florida. Among other things, the legislation added new requirements to Section 366.05, Florida Statutes (F.S.) and created Section 366.95, F.S. These laws became effective on July 1, 2015. To implement the new laws, staff is recommending amendments to Rules 25-6.093 and 25-7.079, F.A.C. (Information to Customers), Rules 25-6.097 and 25-7.083, F.A.C. (Customer Deposits), and Rules 25-6.100 and 25-7.085, F.A.C. (Customer Billings). Staff is recommending these rule changes so that Commission rules will continue to be consistent with the requirements of the empowering statutes as revised during the 2015 legislative session. Therefore, any economic impacts that might be incurred by affected entities would be a result of statutory changes promulgated under Sections 366.05 and 366.95, F.S., and not caused by staff's recommended changes to Commission rules.

The attached Statement of Estimated Regulatory Costs (SERC) addresses the considerations required pursuant to Section 120.541, Florida Statutes (F.S.). The SERC contains an appendix which is divided into two sections. Section 1 of the SERC Appendix includes a summary of the key rule changes. Section 2 contains a discussion of the prospective rule amendments associated with statutory changes that potentially may result in additional transactional costs.

Benefits of the statutory changes and the recommended rule revisions to implement the statutory changes potentially may be realized by investor-owned electric and gas utilities and their ratepayers. Utilities may experience fewer customer complaints regarding charges billed or other customer service issues. Ratepayers of electric utilities with nuclear asset-recovery bonds potentially may benefit from having the asset securitization charge listed as a separate line item on customer bills as it may lead to better customer understanding of the charges for which they are billed. Electric and gas utility ratepayers potentially may benefit from additional utility assistance in selecting the appropriate rate schedule to best meet their specific needs and from the clarification of the method of determining customer deposits. Electric and gas utility ratepayers also may benefit in the form of lower bills due to the prohibition of charging for usage at a higher tiered rate if the usage increase is attributable to an extension in the billing period.

No workshop was requested in conjunction with the recommended rule revisions. Several comments from interested parties were incorporated into the draft rules to provide additional clarification. No regulatory alternatives were submitted pursuant to paragraph 120.541(1)(a), F.S. Because the estimated additional transactional costs are caused by statutory changes and not staff's recommended changes to Commission rules, none of the rule impact/cost criteria established in paragraph 120.541(2)(a), F.S., will be exceeded as a result of the recommended revisions.

cc: (Draper, Daniel, Shafer, Cibula, SERC file)

**Florida Public Service Commission  
Statement of Estimated Regulatory Costs  
Chapters 25-6 and 25-7, F.A.C.**

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

Yes

No

For clarification, please see comments in Sections A(3) and E(1), below.

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

Yes

No

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

A. Whether the rule directly or indirectly:

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

Economic growth

Yes  No

Private-sector job creation or employment

Yes  No

Private-sector investment

Yes  No

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

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

Yes  No

Productivity

Yes  No

Innovation

Yes  No



(3) Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule? [120.541(2)(a)3, F.S.]

Yes

No

Economic Analysis:

A summary of the key rule changes is included in Section 1 of the SERC Appendix. Specific elements of the associated economic analysis are identified below in Sections B through F of this SERC.

During the 2015 session, the Florida Legislature enacted House Bill 7109 which was incorporated into Chapter 2015-129, Laws of Florida. Among other things, the legislation added new requirements to Section 366.05, F.S., and created Section 366.95, F.S. These laws became effective on July 1, 2015. To implement the new laws, staff is recommending amendments to Rules 25-6.093 and 25-7.079, F.A.C. (Information to Customers), Rules 25-6.097 and 25-7.083, F.A.C. (Customer Deposits), and Rules 25-6.100 and 25-7.085, F.A.C. (Customer Billings). Staff is recommending these rule changes so that Commission rules will continue to be consistent with the requirements of the empowering statutes as revised during the 2015 legislative session.

Therefore, any economic impacts that might be incurred by affected entities would be a result of statutory changes promulgated under Sections 366.05 and 366.95, F.S., and not caused by staff's recommended changes to Commission rules. Because estimated additional transactional costs are caused by statutory changes and not staff's recommended changes to Commission rules, none of the rule impact/cost criteria established in paragraph 120.541(2)(a), F.S., will be exceeded as a result of the recommended rule revisions.

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

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

Potentially affected entities include 5 investor-owned electric utilities and 8 investor-owned natural gas utilities. Utilities which come under the jurisdiction of the Commission in the future also would be required to comply.

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

Florida's 5 investor-owned electric utilities serve approximately 7.45 million customers. Florida's 8 investor-owned natural gas utilities serve approximately 530,000 customers.

[Source: Facts and Figures of the Florida Utility Industry; PSC - March 2015]

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

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

- None. To be done with the current workload and existing staff.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

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

- None. The rule will only affect the Commission.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

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

- None.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

It is not anticipated that state and local governments would incur additional costs in association with the recommended rule revisions. Staff notes that the final bill analysis prepared in support of HB 7109 indicated that the Revenue Estimating Conference projected a negative fiscal impact on state revenues of \$400,000 in FY 2015-2016 and a recurring \$1.6 million in FY 2016-2017 and thereafter, and a negative fiscal impact on local government revenues of \$700,000 in FY 2015-2016 and a recurring \$2.7 million in FY 2016-2017 and thereafter.<sup>1</sup> These estimated impacts are anticipated to result from reductions in overall taxable charges to customers and reduced collections of municipal and county public service taxes and franchise fees.<sup>2</sup> Staff notes that these estimated impacts are a result of statutory changes promulgated through the creation of Section 366.95, F.S., as contained in HB 7109, which are beyond the scope of the changes to Commission rules being recommended by staff. Therefore, any economic impacts that might be incurred by affected entities would be a result of statutory changes to Chapter 366, F.S., and not caused by staff's recommended changes to Commission rules.

<sup>1</sup> Florida House of Representatives, Final Bill Analysis – CS/HB 7109, June 12, 2015; page 1.

<sup>2</sup> Id., pp. 14-15.

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

- None. The rule will only affect the Commission.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

Please refer to Section 2 of the SERC Appendix for a discussion of potential transactional costs that may be associated with the recommended rule revisions.

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

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

- No adverse impact on small business. *[See clarification below.]*
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

Based on a review of investor-owned electric and gas utility annual reports, it is estimated that one gas utility potentially might meet the definition of "small business" as defined in Section 288.703, F.S. However, as noted in Section A above, any economic impacts that might be incurred by affected entities would be a result of statutory changes promulgated under Sections 366.05 and 366.95, F.S., and not caused by staff's recommended changes to Commission rules.

It is difficult to estimate the number of the affected utilities' customers that would meet the definition of "small business" as defined in Section 288.703, F.S. However, as noted in Section A above, any economic impacts that might be incurred by affected entities would be a result of statutory changes promulgated under Sections 366.05 and 366.95, F.S., and not caused by staff's recommended changes to Commission rules.

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

No impact on small cities or small counties.

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

"Small cities" and "small counties" as defined by Section 120.52, F.S., are not expected to be affected other than in the unlikely scenario where such entities might be direct customers of the affected utilities. However, as noted in Section A above, any economic impacts that might be incurred by affected entities would be a result of statutory changes promulgated under Sections 366.05 and 366.95, F.S., and not caused by staff's recommended changes to Commission rules.

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

None.

Additional Information:

No workshop was requested in conjunction with the recommended rule revisions. Several comments from interested parties were incorporated into the draft rules to provide additional clarification.

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

No regulatory alternatives were submitted.

A regulatory alternative was received from

Adopted in its entirety.

Rejected. Describe what alternative was rejected and provide a statement of the reason for rejecting that alternative.

## **Appendix – Statement of Estimated Regulatory Costs Recommended Revisions to Chapters 25-6 and 25-7, F.A.C.**

### **Section 1: Introduction and Summary of Recommended Rule Changes**

During the 2015 session, the Florida Legislature enacted House Bill 7109 which was incorporated into Chapter 2015-129, Laws of Florida. Among other things, the legislation added new requirements to Section 366.05, Florida Statutes (F.S.) and created Section 366.95, F.S. These laws became effective on July 1, 2015. To implement the new laws, staff is recommending amendments to Rules 25-6.093 and 25-7.079, F.A.C. (Information to Customers), Rules 25-6.097 and 25-7.083, F.A.C. (Customer Deposits), and Rules 25-6.100 and 25-7.085, F.A.C. (Customer Billings). Rules 25-6.093, 25-6.097, and 25-6.100, F.A.C., apply to investor-owned electric utilities; Rules 25-7.079, 25-7.083, and 25-7.085, F.A.C., apply to investor-owned gas utilities. A summary of the key rule changes is presented below.

The purpose of Rules 25-6.093 and 25-7.079, F.A.C., is to specify the nature of the information that investor-owned electric and gas utilities, respectively, must provide to customers regarding the method of reading meters and the derivation of billing therefrom. Commission Rules 25-6.093 and 25-7.079, F.A.C., are being amended to implement paragraph 366.05(1)(d), F.S. In accordance with the statute, if a utility has more than one rate for any customer class, it must notify each customer in that class of the available rates and explain how the rate is charged to the customer. If a customer contacts the utility seeking assistance in selecting the most advantageous rate, the utility must provide good faith assistance to the customer.

The purpose of Rules 25-6.097 and 25-7.083, F.A.C., is to specify the criteria by which investor-owned electric and gas utilities, respectively, shall determine the amount of customer deposits, establishment of credit, refunding of deposits, payment of interest on deposits, and maintaining records of deposits. Commission Rules 25-6.097 and 25-7.083, F.A.C., are being amended to implement paragraph 366.05(1)(c), F.S. In accordance with the statute, a methodology is prescribed, effective January 1, 2016, that sets a maximum deposit amount that the utility may collect for an existing account or for a new service request.

The purpose of Rules 25-6.100 and 25-7.085, F.A.C., is to specify the criteria that investor-owned electric and gas utilities, respectively, must follow when billing their customers, including billing intervals, the information that must be provided on each bill, procedures for using estimated billing, proration of bills for partial billing periods, and uniformity of application to all customers on the same rate schedule. Commission Rules 25-6.100 and 25-7.085, F.A.C., are being amended to implement paragraph 366.05(1)(b), F.S. In accordance with the statute, if the Commission authorizes a public utility to charge tiered rates based upon levels of usage and to vary its regular billing period, the utility may not charge a customer a higher rate because of an increase in usage attributable to an extension of the billing period; however, the regular meter reading date may not be advanced or postponed more than five days for routine operating reasons without prorating the billing for the period.

Commission Rule 25-6.100, F.A.C., is also being amended to implement subsection 366.95(4), F.S. In accordance with the statute, if an electric utility has obtained a financing order and caused nuclear asset-recovery bonds to be issued, the utility's electric bills must: (1) explicitly reflect information explaining the nuclear asset-recovery charge and the ownership of that charge, and (2) show a separate line item titled "Asset Securitization Charge" on each customer's bill that includes both the rate and the amount of the charge.

## Section 2: Discussion of Estimated Additional Transactional Costs

Staff is recommending amendments to the rules noted in Section 1 above so that Commission rules will continue to be consistent with the requirements of the empowering statutes as revised during the 2015 legislative session. Therefore, any economic impacts that might be incurred by affected entities would be a result of statutory changes promulgated under Sections 366.05 and 366.95, F.S., and not caused by staff's recommended changes to Commission rules.

To compile this SERC, staff gathered information from internal and external sources. To identify potential additional transactional costs that might be incurred by affected entities, staff sent a data request to all investor-owned electric (5) and gas (8) utilities under the jurisdiction of the Commission. A summary of the information provided in response to staff's data request is presented below in Table 1. Because the estimated additional transactional costs are caused by statutory changes and not staff's recommended changes to Commission rules, none of the rule impact/cost criteria established in paragraph 120.541(2)(a), F.S., will be exceeded as a result of the recommended rule revisions.

**Table 1**  
**Summary of Estimated Additional Transactional Costs**

Changes to Statute (F.S.) [eff. 7/1/15]	Associated Changes to Rules (F.A.C.)	Items Affected by Statutory Changes	2015 Costs <sup>1</sup> (\$000)	2016-19 Costs (\$000)	Total Costs <sup>2</sup> (\$000)
366.05(1)(d)	25-6.093, 25-7.079	Information to Customers	0	0	0
366.05(1)(c)	25-6.097, 25-7.083	Customer Deposits	1,263	183	1,446
366.05(1)(b)	25-6.100, 25-7.085	Customer Billings	6	0	6
366.95(4)	25-6.100	Customer Billings	628	337	965
			<b>1,897</b>	<b>520</b>	<b>2,417</b>

Source: Electric and gas utility responses to staff's data request, October 2015.

Based upon the utilities' responses to staff's data request, approximately \$2.412 million of the estimated \$2.417 million (99.8 percent) in additional costs is expected to be incurred by electric

<sup>1</sup> First-year costs [paragraph 120.541(1)(b), F.S.].

<sup>2</sup> Five-year costs [subparagraph 120.541(2)(a)3, F.S.].

utilities. One gas utility estimated incremental costs of approximately \$5,000 to comply with the changes to paragraph 366.05(1)(c), F.S.

### ***Discussion of Specific Additional Transactional Cost Estimates***

Information provided in the data request responses was combined with staff's analysis and the results are discussed below. The four major subject areas covered by this rulemaking initiative are identified individually by statutory reference, associated Commission rule(s), and subject matter area.

#### **Paragraph 366.05(1)(d), F.S., Rules 25-6.093 and 25-7.079, F.A.C., Information to Customers**

Based on the data request responses, utilities indicated that they did not expect additional transactional costs in association with the requirements to notify customers that have multiple rate options available. One utility expressed a concern that significant additional transactional costs could be incurred if the meaning of the term "bill insert" as used in paragraph 25-6.093(3)(a), F.A.C., were limited to only print notification. Staff concurs with the utility's interpretation that the term "bill insert" provides for customer notification through electronic format for customers enrolled in email bill programs.

#### **Paragraph 366.05(1)(c), F.S., Rules 25-6.097 and 25-7.083, F.A.C., Customer Deposits**

Four electric utilities and one gas utility provided estimates of additional costs yielding a combined total of \$1.446 million to comply with the new methodology prescribed by statute that sets a maximum deposit amount that a utility may collect for an existing account or for a new service request. Of the total, \$1.296 million (90 percent) represent front-end costs associated with system reprogramming, coding, and testing changes to allow for: (a) evaluation of accounts and to apply or refund excess deposit amounts, (b) creation of system detail files to track activity and compliance and enhance reporting, and (c) regularly scheduled usage reviews to determine if existing deposits are adequately secured. One electric utility also estimated recurring costs of \$0.20 per unit for postage associated with the increased volume of deposit certificates that will be sent whenever there is a change to a customer deposit. The utility estimated an annual volume of 150,000 units, yielding an incremental cost of \$30,000 per year over the next five years (\$150,000 total). Seven gas utilities and one electric utility projected that they would not incur additional costs to comply with the new deposit requirements.

#### **Paragraph 366.05(1)(b), F.S., Rules 25-6.100 and 25.7-085, F.A.C., Customer Billings**

Based on the data request responses, 12 of 13 utilities indicated that they did not expect additional transactional costs in association with the requirements to not charge customers higher-tiered rates because of an increase in usage attributable to an extension of the billing period. One electric utility estimated approximately \$6,000 in front-end costs to change the programming logic to expand the first tier to allow greater than 1,000 kilowatt-hours if necessary to accommodate additional usage resulting from an extension of the billing period.



**Subsection 366.95(4), F.S., Rule 25-6.100, F.A.C., Customer Billings (nuclear "asset securitization charge")**

Subsection 366.95(4), F.S., applies only to electric utilities that have obtained financing orders and caused nuclear asset-recovery bonds to be issued. One utility estimated approximately \$965,000 in total incremental costs to manage the customer billing requirements to enable its customer bills to show an explanation of the nuclear asset-recovery charge and the ownership of that charge, and to show a separate line item on each customer's bill for the asset securitization charge. Another utility with nuclear generation assets stated that it did not currently anticipate requesting a financing order for nuclear asset recovery bonds within the next five years. However, the utility estimated that if it were to initiate such changes today, its costs to comply with the new billing requirements would be approximately \$1 million.