

State of Florida



Public Service Commission

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

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

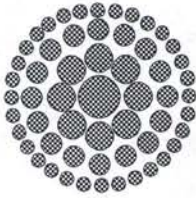
DATE: June 10, 2019
TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk
FROM: Samantha Cibula, Office of the General Counsel *S.M.C.*
RE: Docket No. 19981101-EI

Please file the attached materials in the docket file listed above.

Thank you.

Attachment

RECEIVED-FPSC
2019 JUN 11 AM 8:10
COMMISSION
CLERK



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98 FEB -4 PM 3:13

FLORIDA PUBLIC SERVICE COMM.
DIVISION OF APPEALS

**Florida
Power**
CORPORATION

JAMES A. MCGEE
SENIOR COUNSEL

February 2, 1998

Christiana T. Moore, Esquire
Division of Appeals
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Amendment of Rule 25-6.100, F.A.C., *Customer Billing*;
Request for Rule Development Workshop.

Dear Ms. Moore:

In accordance with the notice published by the Commission on January 23, 1998 in the *Florida Administrative Weekly*, Florida Power Corporation hereby requests that a rule development workshop be held on the subject rule amendment proposal at the time and place set forth in the notice.

Florida Power is a public utility, as defined in Section 366.02, F.S., and as such, is subject to the Commission's regulatory authority in general, and Rule 25-6.100 in particular. Florida Power believes that the requested workshop would be beneficial in assisting Florida Power and other affected utilities to understand the rationale for this proposed addition to customer bills, and in providing the opportunity to discuss the associated costs and potential customer confusion against which any perceived benefits of the amendment should be measured.

Thank you for your consideration of this request.

Very truly yours,

James A. McGee

JAM/kp

GENERAL OFFICE

RECEIVED BEGGS & LANE

ATTORNEYS AND COUNSELLORS AT LAW

ROBERT P. GAINES
W. SPENCER MITCHEM
JAMES M. WEBER
ROBERT L. CRONGEYER
JOHN F. WINDHAM
J. NIXON DANIEL, III
RALPH A. PETERSON
GARY B. LEUCHTMAN
JOHN P. DANIEL
JEFFREY A. STONE
JAMES S. CAMPBELL
RUSSELL F. VAN SICKLE
RUSSELL A. BADDERS
GARY W. HUSTON
MARY JANE THIES
DAVID L. MCGEE
CHARLES T. WIGGINS

98 FEB 13 AM 9:49

POST OFFICE BOX 12950

PENSACOLA, FLORIDA 32576-2950

FLORIDA PUBLIC SERVICE COMM.
DIVISION OF APPEALS

SEVENTH FLOOR BLOUNT BUILDING
3 WEST GARDEN STREET
PENSACOLA, FLORIDA 32501
TELEPHONE (904) 432-2451
TELECOPIER (904) 469-3330

February 11, 1998

E. DIXIE BEGGS
Retired
BERT H. LANE
1917-1981

Ms. Christiana T. Moore
Division of Appeals
Florida Public Service Commission
2540 Shumard Oak Drive
Tallahassee, Florida 32399

Re: Customer Billing

Dear Ms. Moore:

Gulf Power Company has reviewed the notice of proposed rule development regarding customer billing and has determined that a rule development workshop is needed to allow input from interested parties. A rule development workshop would allow input on the proposed changes to the rule and would give an opportunity for other issues and concerns regarding customer billing to be raised and discussed. One area of concern that needs to be considered is the practical ability of the affected utilities to comply with the proposed change at a reasonable cost. By this letter, Gulf Power Company requests that a rule development workshop be held as set forth in the notice of proposed rule development.

Very truly yours,

Russell A Badders

Russell A. Badders
For the Firm

cc: S. D. Cranmer
M. D. Neyman
R. G. Livingston

Rule 25-6.100

State of Florida



Public Service Commission

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

DATE: March 23, 1998
TO: Customer Billing Workshop Participants
FROM: Roberta S. Bass, Public Utilities Supervisor, Division of Electric & Gas
RE: Amendment of Rule 25-6.100, F.A.C., Customer Billing

Rob
JBJ

At the conclusion of the workshop on March 3, 1998 regarding the above referenced rule, I agreed to send the workshop participants a copy of staff's proposed rule. Based on the comments received at the workshop, staff believes that it would be beneficial to consider having the utility provide information regarding the fuel mix of system generation as a billing insert rather than including it on customers' bills. At a minimum, the information would be provided to customers on a quarterly basis. This alternative would require an amendment to Rule 25-6.093, F.A.C., *Information to Customers*. Before proceeding to the next step in rulemaking, we would like to have your comments and suggested language on this alternative. Comments should be sent by April 3, 1998.

Thank you again for participating in this rule workshop. If you have any questions regarding the initial rule amendment or the alternative rule amendment, please contact me at (850) 413-6654.

cc: Joe Jenkins
Chris Moore
Craig Hewitt

MEMORANDUM

June 26, 1998

TO: DIVISION OF APPEALS (MOORE)

FROM: DIVISION OF RESEARCH AND REGULATORY REVIEW (HEWITT) *BA 70* *July*

SUBJECT: STATEMENT OF ESTIMATED REGULATORY COST FOR PROPOSED AMENDMENTS TO RULE 25-6.093, F.A.C., INFORMATION TO CUSTOMERS OR RULE 25-6.100, F.A.C., CUSTOMER BILLING

SUMMARY OF THE RULES

Commission rules offer two different ways to convey additional information to electric utility customers. Currently, Rule 25-6.093(3), F.A.C., Information to Customers, describes the information, that investor-owned electric utilities are required to give customers, by bill insert or other appropriate means of communication, including major rate schedules. Rule 25-6.100, F.A.C., Customer Billing, describes the information that is required on each customer's bill, including KWH consumption and costs.

The purpose of the proposed rule amendments is to require the utility to provide additional information to customers, either through a quarterly bill insert, in the first rule, or on the monthly bill, in the second rule. The bills or bill inserts would identify the utility's sources of generation by fuel type for the prior 12 months and as "purchased power" for off-system purchases. The information would be expressed as kilowatt-hour percentages of the total utility generation and purchased power.

ESTIMATED NUMBER AND DESCRIPTION
OF INDIVIDUALS AND ENTITIES REQUIRED TO COMPLY

There are five investor-owned electric utilities (IOUs) which would be required to report the additional information on bills or bill inserts. One IOU does not generate and would only report its information as purchased power. Municipal and cooperative utilities would not be covered by the rule.

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JUN 26 1998

General Counsel's Office
Florida Public Service Commission

RULE IMPLEMENTATION AND ENFORCEMENT COST AND IMPACT ON REVENUES
FOR THE AGENCY AND OTHER STATE AND LOCAL GOVERNMENT ENTITIES

The Florida Public Service Commission (Commission) could have additional costs with adoption of the proposed rule changes, as well as the usual costs of implementing a rule change. There may be additional customer inquiries when the additional new information is received. How many and how long additional inquiries may last is unknown. Existing staff should be able to handle a reasonable number of additional inquiries. No other costs to state or local government entities are foreseen nor would there be any impact on revenues.

ESTIMATED TRANSACTIONAL COSTS
TO INDIVIDUALS AND ENTITIES REQUIRED TO COMPLY

There could be significant additional transaction costs to comply with proposed amendments to Rule 25-6.100, F.A.C., Customer Billing, because companies would have to compile the fuel type information for the preceding 12 months on an ongoing basis and incur the administrative costs to modify their bills to add the information on a monthly basis. Florida Power and Light (FPL) estimates that its annual operations and maintenance expense would increase by over \$8 million plus one-time implementation costs of over \$100,000. FPL indicated that achieving the stated purpose of providing fuel use information through the proposed amendments to Rule 25-6.093, F.A.C., Information to Customers, would be significantly less costly than Rule 25-6.100, F.A.C., Customer Billing, because there is greater flexibility using bill inserts. Companies in either case would have to compile percentages of the types of fuel used for generation for the prior 12 months on a monthly or quarterly basis. Florida Public Utilities (FPU), which does not generate its own power, but purchases power elsewhere, would incur costs to provide the information that it purchased its power.

Although ratepayers are not required to comply with the proposed rule amendments, they would receive direct information about fuel types used to generate their IOU's electricity. This type of information is of interest to customers who are concerned about the impact of sources of generation on the environment. However, there have been few requests or inquiries to the Commission for this type of information from the general body of ratepayers. The Division of Consumer Affairs received one inquiry regarding fuel type during the past year.

If the cost to comply was \$8 million per year for FPL with 3,615,483 customers, the annual ongoing cost would be an additional \$2.21 per year, per customer. If there is a rate case, the expenses to provide the additional information could be included in base rates.

IMPACT ON SMALL BUSINESS, SMALL CITIES, OR SMALL COUNTIES

None of the companies subject to the rule met the statutory definition of a small business. If electricity rates were raised because of the cost to provide the additional information, small businesses could be impacted; but the impact is not likely to be significant. No additional direct impact on small cities or small counties is foreseen, although they would be subject to the additional costs if they are customers of an IOU and rates are raised in a rate case.

REASONABLE ALTERNATIVE METHODS

An alternative suggested at a workshop was to not require the fuel type information in bill inserts or on the bill. The information is available to interested customers who call their utility or the Commission. In addition, the Commission publishes an annual electric industry statistical report that gives the net generation by fuel type for Florida. Given the interconnected nature of the Florida electrical grid, usage for all of Florida may be a more valid way to report fuel type information.

Another suggested alternative if the rule amendments were adopted would be to base the fuel source information on the prior year instead of the 12 months prior to the billing cycle.

Although the purpose of the rule would be to provide fuel type usage information to customers, there would be costs associated with using monthly bills or quarterly bill inserts to provide it, and the costs would likely be greater than the benefits to the general body of ratepayers.

CBH:tfe-fueltp

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

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DIVISION OF RESEARCH & REGULATORY REVIEW
DANIEL M. HOPPE, DIRECTOR
(850) 413-6800

FLORIDA PUBLIC SERVICE
DIVISION OF APPEALS

Public Service Commission

MEMORANDUM

July 15, 1998

TO: Investor-Owned Electric Utilities
(Specific addressees on attached list)

FROM: Daniel M. Hoppe, Director, Research and Regulatory Review *DMH RH*
Joseph D. Jenkins, Director, Electric and Gas

SUBJECT: Data Request for Proposed Changes to Rule 25-6.093(3), F.A.C., Information to Customers, or Rule 25-6.100, F.A.C., Customer Billing

Commission rules offer two different ways to convey additional information to electric utility customers. Currently, Rule 25-6.093(3), F.A.C., Information to Customers, describes the information, that investor-owned electric utilities are required to give customers, by bill insert or other appropriate means of communication, including major rate schedules. Rule 25-6.100, F.A.C., Customer Billing, describes the information that is required on each customer's bill, including KWH consumption and costs.

The purpose of the proposed rule amendments is to require the utility to provide additional information to customers, either through a quarterly bill insert, in the first rule, or on the monthly bill, in the second rule. The bills or bill inserts would identify the utility's sources of generation by fuel type for the prior 12 months and as "purchased power" for off-system purchases. The information would be expressed as kilowatt-hour percentages of the total utility generation and purchased power.

In order for us to assess the economic impact of the proposed rule changes, please respond to the attached data request. To ensure that your response will be included in the analysis for the Statement of Estimated Regulatory Cost, please respond by July 31, 1998. Questions concerning the proposed rule changes should be addressed to Roberta Bass at (850) 413-6654. Questions concerning the data request should be addressed to Craig Hewitt at (850) 413-6848. For your convenience, a copy of the proposed rule changes is attached.

CBH:tf/d-fueltp
Attachments

**FLORIDA PUBLIC SERVICE COMMISSION
DATA/INFORMATION REQUEST ON
PROPOSED CHANGES TO RULE 25-6.093, F.A.C., INFORMATION TO
CUSTOMERS OR RULE 25-6.100, F.A.C., CUSTOMER BILLING**

**DATE DATA REQUEST DUE: July 31, 1998
INVESTOR-OWNED ELECTRIC UTILITIES**

FLORIDA POWER & LIGHT COMPANY

Mr. Bill Walker, Vice President, Regulatory Affairs
Mr. Bill Feaster, Manager, Regulatory Affairs

FLORIDA POWER CORPORATION

Mr. James F. Stanfield, PSC Liaison and Senior Counsel
Mr. James A. McGee, Esquire

FLORIDA PUBLIC UTILITIES COMPANY

Mr. Frank C. Cressman, President and Chief Operating Officer

GULF POWER COMPANY

Mr. Warren E. Tate, Secretary and Treasurer
Ms. Susan D. Canmer, Assistant Secretary and Assistant Treasurer

TAMPA ELECTRIC COMPANY

Ms. Angela Llewellyn, Regulatory Affairs
Mr. Lee L. Willis, Attorney

**DATA/INFORMATION REQUEST ON
PROPOSED CHANGES TO RULE 25-6.093, F.A.C., INFORMATION TO
CUSTOMERS OR RULE 25-6.100, F.A.C., CUSTOMER BILLING**

Company Name: _____

Name, title, and telephone number of
company official responding to request:

PLEASE RETURN NO LATER THAN JULY 31, 1998, TO:

Craig B. Hewitt
Division of Research and Regulatory Review
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0872

FAX No. (850) 413-6849
ATTN: Craig Hewitt

The proposed rule amendments would require investor-owned electric utilities to provide additional information to customers, either through a quarterly bill insert, in the first rule, or on the monthly bill, in the second rule. The bills or bill inserts would identify the utility's sources of generation by fuel type for the prior twelve (12) months and as "purchased power" for off-system purchases. The information would be expressed as kilowatt-hour percentages of the total utility generation and purchased power.

INSTRUCTIONS

In answering the following questions, please consider the following:

- *Be as specific and accurate as possible in identifying costs or savings which would occur from implementation.*
- *Detail the assumptions and basis for each cost or savings estimate associated with the proposed rule changes.*
- *In identifying additional types of expense/revenue increases or decreases, be specific as to the types of expenses/revenues (for example, labor costs, administrative costs, other operating revenues).*
- *Identify whether these expense/revenue increases or decreases would occur only in the initial year of implementation or if they would recur in subsequent years.*

1. Please identify and estimate costs to comply with each of the proposed rules, including all potential transactional costs. For purposes of this question, "transactional costs" should include direct costs that are readily ascertainable based upon standard business practices. These costs may include filing fees, costs of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, and the costs of monitoring and reporting.
2. Please identify and estimate benefits from each of the proposed rules.
3. Please provide any lower cost alternative methods of accomplishing the requirements of each of the proposed rules. Include the estimated costs of each alternative. If a modification of the proposed rule is suggested, please also include any related expenses/savings.
4. Please provide additional comments or cost estimates that may be useful to the Commission or its staff in assessing the economic impacts of the proposed rules.

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 request, the utility shall provide 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 any customer, the utility is required to provide to the customer a copy and/or 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 bill insert or other appropriate means of communication, the utility shall give to each of its customers a summary of major rate schedules 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 sixty (60) days after the commencement of service, and
2. Not less frequently than once each year, and
3. Not later than sixty (60) days after the utility has received approval of its new rate schedule applicable to such customer.

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

(d) By bill insert on a quarterly basis using the utility's normal billing cycle, each utility shall provide its customers the source of generation for the 12 months prior to the billing cycle. The sources of generation shall be stated by fuel type for utility generation and as "purchased power" for off-system purchases. The sources of generation are to be set forth as kilowatt-hour percentages of the total utility generation and purchased power.

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

Specific Authority: 366.05(1), 350.127(2), F.S.

Law Implemented: 366.03, 366.041(1), 366.04(2)(f), 366.04(6), 366.05(1), 366.05(3), 366.06(1), F.S.

History: Amended 7/29/69, 11/26/80, 6/28/82, 10/15/84, formerly 25-6.93.

25-6.100 Customer Billing.

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

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

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

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

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

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

1. Customer charge.

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

3. Demand (KW) charge, exclusive of fuel, in dollar cost per KW, if applicable, including amounts for on and off peak if the customer is time-of-day metered.

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

5. Total electric cost which is the sum of the customer charge, total fuel cost, total energy cost, and total demand cost.

6. Franchise fees, if applicable.

7. Taxes, as applicable on purchases of electricity by the customer.

8. Any discount or penalty, if applicable.

9. Past due balances shown separately.

10. The gross and net billing, if applicable.

(d) Identification of the applicable rate schedule.

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

(f) The average daily KWH consumption for the current period and for the same period in the previous year, for the same customer at the same location.

(g) The delinquent date or the date after which the bill becomes past due.

(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 that such information may be obtained by contacting the utility's local business office.

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

(j) The name of the utility plus the address and telephone number of the local office where the bill can be paid and any questions about the bill can be answered.

(k) The source of generation for the 12 months prior to the billing cycle. The sources of generation shall be stated by fuel type for utility generation and as "purchased power" for off-system purchases. The sources of generation are to be set forth as kilowatt-hour percentages of the total utility generation and purchased power.

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

(4) The regular meter reading date 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 pro-rated except that:

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

(7) Franchise Fees.

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

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

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

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

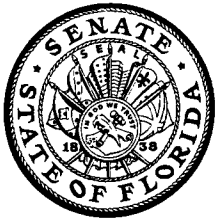
Specific Authority: 366.05(1), F.S.

Law Implemented: 366.05(1), F.S.

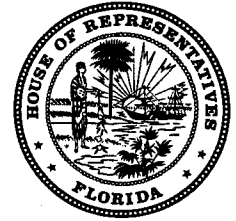
History: New 2/25/76, Amended 4/13/80, 6/28/82, 5/16/83.

19981101-EI

TONI JENNINGS
President



JOHN THRASHER
Speaker



THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

Senator Walter "Skip" Campbell, Chairman
Representative Bill Posey, Vice Chairman
Senator Ginny Brown-Waite
Senator Lisa Carlton
Representative O. R. "Rick" Minton, Jr.
Representative Adam H. Putnam

CARROLL WEBB, EXECUTIVE DIRECTOR
AND GENERAL COUNSEL
Room 120, Holland Building
Tallahassee, Florida 32399-1300
Telephone (850) 488-9110

February 3, 1999

Ms. Christiana T. Moore
Associate General Counsel
Public Service Commission
Capital Circle Office Center
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

**Re: Public Service Commission
Rule Number 25-6.093**

Dear Ms. Moore:

According to our records, the above-styled rules were noticed in the Florida Administrative Weekly on November 13, 1998.

Paragraph 120.54(3)(e), F.S., requires that rules be filed for adoption not more than 90 days from the date of the original notice unless specified circumstances prevail. The 90-day period for filing the rules expires on February 11, 1999.

If you intend to adopt the rules, we remind you that paragraph 120.54(3)(d), F.S., requires that if the rules have not been changed since they were filed with this Committee, or if they contain only technical changes, you must file a notice to that effect with the Committee at least 7 days prior to filing the rules for adoption. If any change has been made in the rules, other than a technical change, you must publish a notice, and file a copy with the Committee, at least 21 days prior to filing the rules for adoption.

If the rules are not filed within 90 days, and if an exception is not applicable, you must notice withdrawal of the rules. Any further action to adopt the rules must comply with the rulemaking procedures of §120.54, F.S. Please advise us of any exceptions which apply to the rules.

Sincerely,

Carroll Webb
Executive Director
and General Counsel

RECEIVED
99 FEB -9 AM 10:35
FLORIDA PUBLIC SERVICE COMMISSION
DIVISION OF APPEALS

STATE OF FLORIDA

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF APPEALS
DAVID SMITH
DIRECTOR
(850) 413-6245

Public Service Commission

February 3, 1999

Mr. Carroll Webb
Executive Director
Joint Administrative Procedures Committee
Room 120, Holland Building
Tallahassee, Florida 32399-1300

Re: Public Service Commission Rule 25-6.093

Dear Mr. Webb:

This letter is written to respond to your letter of today, about the impending expiration of the 90-day period under paragraph 120.54(3)(e), F.S., for filing the rule. The period has been extended by publication of a notice of public hearing in the January 22, 1999, Florida Administrative Weekly, a copy of which is enclosed.

Please do not hesitate to call me if you have questions.

Sincerely yours,

A handwritten signature in cursive script that reads "Christiana T. Moore".

Christiana T. Moore
Associate General Counsel

CTM/

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persons are

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impaired should contact the Commission through the Florida Relay Service by using the following numbers: 1(800)955-8770 (Voice) or 1 (800)955-8771 (TDD).

* In the event of a scheduling conflict, this meeting may be moved to Tuesday, February 16, 1999, immediately following the Commission Conference, in Room 140.

THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.

The Florida Public Service Commission announces a prehearing to be held in the following docket, to which all interested persons are invited.

Docket No. 980986-TP - Request for arbitration concerning complaint of Intermedia Communications, Inc. against GTE Florida Incorporated for breach of terms of Florida partial interconnection agreement under Sections 251 and 252 of the Telecommunications Act of 1996, and request for relief.

DATE AND TIME: February 15, 1999, 1:30 p.m.

PLACE: Commission Hearing Room 152, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider (1) the simplification of the issues; (2) the identification of the positions of the parties on the issues; (3) the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) the identification of the exhibits; (5) the establishment of an order of witnesses; (6) such other matters as may aid in the disposition of the action.

Any person requiring some accommodation at this prehearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the prehearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

DOCKET NO: 981101-EE
RULE TITLE: Information to Customers
RULE NO.: 25-6.093

The Public Service Commission notifies all interested persons that the above rule will be considered at the agenda conference scheduled to be held at the following time and place:

DATE AND TIME: February 16, 1999, 9:30 a.m.

PLACE: Florida Public Service Commission, Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

PURPOSE AND EFFECT: To consider the record of the rulemaking proceedings and the written comments filed on the proposed rule and to adopt, reject, or modify the proposed rule.

The person to be contacted regarding the rule is Christiana T. Moore, (850)413-6098.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1(800)955-8771 (TDD).

The Florida Public Service Commission announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: February 16, 1999, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

PURPOSE: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearing has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting the Division of Records and Reporting, (850)413-6770, or writing: Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.scri.net/psc>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of Records and Reporting, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).



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FLORIDA PUBLIC SERVICE COMM.
DIVISION OF APPEALS

October 9, 1998

Ms. Roberta Bass
Division of Electric & Gas
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

RE: Proposed Amendments to Rule 25-6.093 or 25-6.100 (Consumer Disclosure)

Dear Roberta:

I understand that E&G staff will soon complete its review of the Statement of Estimated Regulatory Costs and propose a rule for the Commission's consideration. LEAF offers the following comments for staff's consideration.

1. Uniformity of reporting is of critical importance, according to the Regulatory Assistance Project ("RAP") which has done extensive research on this topic. LEAF suggests the rule specify that utilities use the format suggested by RAP and adopted in Massachusetts.

2. Reporting should be as complete as possible. Contrary to utility claims at the workshop, it is not difficult to specify fuel type for all purchased power (as evidenced by the attached excerpts from 1998 TYPs for FPC and FPL). Non-Utility-Generators have a constant fuel source. If there are long-term (more than 1 year) contracts to purchase power, the fuel type should be included in the reported information.

3. Given the wide discrepancies of the cost estimates utilities provided (as stated in the Statement of Estimated Regulatory costs) staff should not accept utility estimates without question. For example, TECO estimates that putting the information on the bill would increase annual costs by \$1,770,000, whereas FPL, a much larger utility, estimates putting the information on the bill would increase annual costs by \$130,724 -- and FPC suggests there are no costs beyond a one-time \$40,000 to create the proper functionality to place this information on the bill.

4. For reasons stated previously LEAF much prefers including the information on monthly bills. Our second preference would be for the information to be included on each bill insert a utility sends to its customers, rather than going to the expense of creating a separate insert. In this way, customers could receive the information more than quarterly.

6. The rule should clarify how recent the information must be -- or what lag period in reporting will be allowed.

7. Contrary to utility claims there are benefits to the rule. Both customers and utilities benefit by informing customers about utility fuel mixes. Customers have a right to know where their electricity comes from. Informed customers will help utilities sell their green pricing programs. Informing customers now also helps prepare customers for the choices associated with the eventual coming of deregulation and full competition.

8. The alternative methods described in the Statement of Estimated Regulatory Costs are not reasonable. Reporting only annually is not enough to inform customers. The annual statistical report is not readily available to customers and lacks utility specific information. Nor is it realistic to assume customers will call their utility or the Commission to request this information. Customers are so uninformed now that they do not know enough to ask this question, even if they had the time to do so.

LEAF appreciates your consideration of these comments. If you have questions, please let us know.

Sincerely,



Debra Swim
Senior Attorney
Energy Advocacy Project

cc: Chris Moore

TABLE 3.2
FLORIDA POWER CORPORATION
QUALIFYING FACILITY GENERATION CONTRACTS
AS OF DECEMBER 31, 1997

FACILITY NAME	LOCATION (COUNTY)	TYPE	FUEL TYPE	CONTRACT START DATE (MO/YR)	FIRM CAPACITY - MW
BAY COUNTY RES. RECOV.	BAY	SPP	MSW	04/1988	11
CARGILL	POLK	COG	WH	10/1992	15
CFR-BIOGEN	POLK	COG	NG	06/1995	74
DADE COUNTY RES. RECOV.	DADE	SPP	MSW	11/1991	43
EL DORADO	POLK	COG	NG	07/1994	114
LAKE COGEN	LAKE	COG	NG	07/1993	110
LAKE COUNTY RES. RECOV.	LAKE	SPP	MSW	01/1995	13
LFC JEFFERSON	POLK	COG	NG	01/1995	8
LFC MADISON	POLK	COG	NG	01/1995	8
MULBERRY	POLK	COG	NG	07/1994	79
ORLANDO COGEN	ORANGE	COG	NG	10/1993	79
* PANDA KATHLEEN	POLK	COG	NG	11/2000	75
PASCO COGEN	PASCO	COG	NG	07/1993	109
PASCO COUNTY RES. RECOV.	PASCO	SPP	MSW	01/1995	23
PINELLAS COUNTY RES. RECOV. 1	PINELLAS	SPP	MSW	01/1995	40
PINELLAS COUNTY RES. RECOV. 2	PINELLAS	SPP	MSW	01/1995	15
PINELLAS COUNTY RES. RECOV. 3	PINELLAS	SPP	MSW	01/2008	40
RIDGE GENERATING STATION	POLK	SPP	BIO	05/1994	40
ROYSTER	POLK	COG	NG	07/1994	31
TIMBER ENERGY 1	LIBERTY	SPP	BIO	04/1992	13
US AGRICHEM	POLK	COG	WH	01/1997	6

* DISPUTES EXIST WITH PANDA KATHLEEN WHICH MAKE THE TIMING OF THIS PROJECT UNCERTAIN.

**Cogeneration/Small Power Production Facilities
Operating Under Firm Contracts in 1997**

Project	County	Fuel	MW Capacity	In-Service Date	End Date
Bio-Energy	Broward	Landfill Gas	10.0	8/1/89	12/31/04
Broward South	Broward	Solid Waste	50.6	6/1/91	07/31/09
			1.4	1/1/93	12/30/26
			1.5	1/1/95	12/30/26
			0.6	1/1/97	12/30/26
Broward North	Broward	Solid Waste	45.0	4/1/92	12/30/26
			7.0	1/1/93	12/30/26
			1.5	1/1/95	12/30/26
			2.5	1/1/97	12/30/26
Royster Mulberry	Polk	Waste Heat	8.0	4/1/92	03/31/02
			1.0	12/1/95	03/31/02
Cedar Bay Generating Co.	Duval	Coal (CFB)	250.0	1/25/94	1/31/25
Indiantown Cogen., LP	Martin	Coal (PC)	330.0	12/22/95	12/31/25
Palm Beach SWA	Palm Beach	Solid Waste	42.0	4/1/92	3/31/10
Florida Crushed Stone	Hernando	Coal (PC)	110.0	4/1/92	10/31/05
			11.0		10/31/05
			12.0		10/31/05
Osceola ⁽¹⁾	Palm Beach	Bagasse/Wood	55.9	(3)	(3)
Okeelanta ⁽²⁾	Palm Beach	Bagasse/Wood	70	(3)	(3)

Notes:

- (1) Off-Line since 9/14/97. Delivered 251,066 MWH to FPL in 1997.
- (2) Off-Line since 9/15/97. Delivered 314,326 MWH to FPL in 1997.
- (3) FPL has filed suit against the Okeelanta and Osceola Partnerships in Palm Beach County Circuit Court. The lawsuit seeks a declaratory judgment that the Partnerships failed to accomplish commercial operations by January 1, 1997, as required by the power purchase contracts with the Partnerships, and, as a result, FPL is relieved of all further obligations, including capacity payments, under the contracts. FPL has proposed to pay into a court-authorized escrow account the disputed capacity payments pending a final determination by the court. In addition, the amount of capacity, which the Osceola Partnership has attempted to declare remains subject to dispute.

Table I.B.1