

STATE OF FLORIDA

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(850) 413-6199

Public Service Commission

October 14, 2021

Kaley Flynn, Director
Rules Ombudsman in
The Executive Office of the Governor
Reg.Reform@eog.myflorida.com

SENT VIA E-MAIL

Re: Docket No. 20210122-WS; Rules 25-30.025, 25-30.4345, 25-30.445, 25-30.446, 25-30.455, 25-30.456, and 25-30.565, F.A.C.

Dear Ms. Flynn:

The Florida Public Service Commission proposed the above-listed rules at their regular agenda conference on October 12, 2021. The Commission has determined that these rules will affect small businesses. Accordingly, pursuant to Section 120.54(3)(b)2.b.(I), Florida Statutes, enclosed is a copy of the Florida Administrative Register (FAR) notice of the proposed rules, which was published in the October 14, 2021 edition of the FAR. Also enclosed is a copy of the statement of estimated regulatory costs (SERC). The SERC concluded that the proposed rule amendments will not have an adverse effect on small business. Pursuant to your instructions, we have filled out and included a copy of the OFARR rulemaking notification form.

If there are any questions with respect to these rules, please contact me at kcowdery@psc.state.fl.us.

Sincerely,

/s/ Kathryn G. W. Cowdery
Kathryn G. W. Cowdery
Senior Attorney

Enclosures

cc: Office of the Commission Clerk

RECEIVED FPSC
2021 OCT 14 PM 3:45
COMMISSION
CLERK

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: · RULE TITLE:

25-30.025 Official Date of Filing

25-30.4345 Notice of Requests for New or Revised Service Availability Charges or Policies and Notice of Requests for Allowance for Funds Prudently Invested (AFPI) Charges

25-30.445 General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding

25-30.446 Notice of and Public Information for Application for Limited Proceeding Rate Increase

25-30.455 Staff Assistance in Rate Cases

25-30.456 Staff Assistance in Alternative Rate Setting

25-30.565 Application for Approval of New or Revised Service Availability Policy or Charges.

PURPOSE AND EFFECT: To update and clarify rule language and application process; to decrease the number of paper copies required to be filed with the Commission; to address electronic filing of documents and give customers clear access to documents electronically; improve administrative efficiency; decrease regulatory costs; and allow for better comprehension of rule requirements.

Rule 25-30.4345 is referenced in Rules 25-30.434 and 25-30.565. The amendments to the noticing requirements in Rule 25-30.4345 will apply to water and wastewater utilities' applications for service availability charges or polices and for allowance for funds prudently incurred filed under Rules 25-30.434 and 25-30.565.

Rule 25-30.445 is referenced in Rule 25-30.446. The amendments to Rule 25-30.445 have no effect on Rule 25-30.446.

Rule 25-30.446, concerning notice and public information for limited proceeding rate increase, is referenced in Rules 25-30.444, 25-30.4445, and 25-30.445. Applications filed under Rules 25-30.444, 25-30.445, and 25-30.4445 will be required to comply with the amended noticing requirements of Rule 25-30.446, as specified in those rules.

Rule 25-30.455, Staff Assistance in Rate Cases, is referenced in Rules 25-22.0407, 25-30.444, 25-30.4445, 25-30.456, 25-30.457, and 25-30.4575. The amendments to Rule 25-30.455 have no effect on these rules.

Rule 25-30.456 is referenced in Rule 25-30.457. The amendments to Rule 25-30.456 have no effect on Rule 25-30.457.

Docket No. 20210122-WS

SUMMARY: Rule 25-30.025, F.A.C., Official Date of Filing, is amended to change the person responsible for determining the date on which the utility has filed a complete application from the Deputy Executive Director, Technical, to the Director of the agency division that has been assigned the primary responsibility for the filing.

Rule 25-30.4345, F.A.C., Notice of Requests for New or Revised Service Availability Charges or Policies and Notice of Requests for Allowance for Funds Prudently Invested (AFPI) Charges, is amended to update and clarify rule language; eliminate the requirement to file paper copies of documents at various locations; and require the utility to include a statement in its notice that the utility's application can be accessed on the Commission's website.

Rule 25-30.445, F.A.C., General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding, is amended to update and clarify rule language and reduce the number of paper copies of applications filed at the Commission. The rule is amended to provide that a limited proceeding will not be allowed if the utility's filing includes more than six separate projects for which recovery is sought; the requested rate increase exceeds 30 percent; the utility has not had a rate case within seven years of the date the petition for limited proceeding is filed; or the limited proceeding is filed as the result of the complete elimination of either the water or wastewater treatment process.

Rule 25-30.446, F.A.C., Notice of and Public Information for Application for Limited Proceeding Rate Increase, is amended to update and clarify rule language; eliminate the requirement to file paper copies of rate case documents at various locations; and require the utility to include a statement in its initial customer notice that the utility's application can be accessed on the Commission's website.

Rule 25-30.455, F.A.C., Staff Assistance in Rate Cases, and Rule 25-30.456, F.A.C., Staff Assistance in Alternative Rate Setting, are amended to update and clarify rule language and add specificity to the criteria making a utility eligible for staff assistance under each rule.

Rule 25-30.565, F.A.C., Application for Approval of New or Revised Service Availability Policy or Charges, is amended to update and clarify rule language; reduce the number of paper copies of applications filed at the Commission; and eliminate the requirement to file paper copies of the application at its local office.

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 amendment will not have an adverse impact on economic growth, business competitiveness, or small business and that there would likely be no transactional costs to the individual and entities, including government entities, required to comply with the rule.

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

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

RULEMAKING AUTHORITY: 350.127(2), 367.0814, 367.101, 367.121, 367.121(1), 367.121(1)(a), 367.121(1)(f) FS

LAW IMPLEMENTED: 367.081, 367.0812, 367.0184, 367.0822, 367.083, 367.091, 367.101, 367.111, 367.121(1)(a), 367.145(2) 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: Kathryn G.W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6199, kcowdery@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.025 Official Date of Filing.

(1) The “official date of filing” is the date on which the Director of the division that has been assigned the primary responsibility for the filing ~~Deputy Executive Director, Technical~~ determines the utility has filed completed sets of the minimum filing requirements (MFRs), including testimony that may be required by subsection 25-30.436(2), F.A.C., and payment of the appropriate filing fee to the Office of the Commission Clerk.

(2) The Director of the division that has been assigned the primary responsibility for the filing will ~~Deputy Executive Director, Technical~~ shall determine the official date of filing for any utility’s application and advise the applicant. The Commission will ~~shall~~ resolve any dispute regarding the official date of filing.

Rulemaking Authority 350.127(2), 367.121(1) FS. Law Implemented 367.083 FS. History--New 3-26-81, Formerly 25-10.12, 25-10.012, Amended 11-10-86, 11-30-93, _____.

25-30.4345 Notice of Applications Requests for New or Revised Service Availability Charges or Policies and Notice of Applications Requests for Allowance for Funds Prudently Invested (AFPI) Charges.

(1) This rule applies to all applications requests for new or revised service availability charges or policies and to all applications requests for allowance for funds prudently invested (AFPI) charges made by water and wastewater utilities, including those requests made in conjunction with an application a request for a general rate increase.

~~(2) Upon filing an application for new or revised service availability charges or policies or an application for AFPI charges, the utility shall place a copy of the application at its official headquarters and at any business offices it has in the service areas included in the request. Such copies shall be available for public inspection during the utility’s regular business hours. If the utility does not have a business office in a service area included in the request, the utility shall place a copy of the application at the main county library, the local community center or other appropriate location which is within or most convenient to the service area and which is willing to accept and provide public access to said copies. The Commission may require that copies of the application be placed at other specified locations.~~

~~(2)(3)(a) Upon filing an application for new or revised service availability charges or policies or an application~~

for AFPI charges, the utility must publish ~~shall have published~~ a notice of application in a newspaper of general circulation in the service areas included in the application ~~petition~~.

(b) Upon filing an application for new or revised service availability charges or policies or an application for AFPI charges, the utility must ~~shall~~ mail or hand deliver a notice of application to all persons in the service areas included in the application who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the application is filed.

(c) No change.

(d) The notice of application ~~petition~~ ~~shall~~ include the following:

1. No change.

2. A statement that the utility has filed an application ~~a petition~~ for new or revised service availability charges or policies or AFPI charges with the Commission;

3. No change.

4. A statement that the utility's application can be accessed on the Commission's website of the locations where copies of the application are available for public inspection and the times during which inspection may be made;

5. through 6. No change

7. A statement that any comments concerning the policy or charges should be addressed to the Director of the Office of Commission Clerk at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Rulemaking Authority 350.127(2), 367.121(1)(f) FS. Law Implemented 367.091, 367.101, 367.111, 367.091-FS. History—New 5-27-93, Formerly 25-22.0408, _____.

25-30.445 General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding.

(1) Each applicant for a limited proceeding must ~~shall~~ provide the following general information to the Commission:

(a) through (e) No change.

(2) In a limited proceeding application:

(a) Each schedule must ~~shall~~ be cross-referenced to identify related schedules.

(b) Except for handwritten official company records, all data in the petition and application must ~~shall~~ be typed.

(c) The original and ~~three~~ ~~seven~~ copies must ~~shall~~ be filed with the Office of Commission Clerk. The copies must be clearly labeled "COPY." If the application is e-filed, the utility must provide the required number of paper copies, clearly labeled "COPY," to the Office of Commission Clerk within seven calendar days after electronic filing.

(3) A filing fee as required in Rule 25-30.020, F.A.C., must ~~shall~~ be submitted at the time of application.

(4) The following minimum filing requirements must ~~shall~~ be filed with the utility's application for limited proceeding for a Class A or B water or wastewater utility:

(a) through (b) No change.

(c) A schedule that provides the specific rate base components for which the utility seeks recovery. Supporting detail must ~~shall~~ be provided for each item requested, including:

1. through 4. No change.

(d) If the utility's application includes a request for recovery of plant in service, accumulated depreciation and depreciation expense, supporting detail must ~~shall~~ be provided by primary account as defined by the NARUC Uniform System of Accounts, in accordance with Rule 25-30.110, F.A.C.

(e) A calculation of the weighted average cost of capital must ~~shall~~ be provided for the most recent 12-month period, using the mid-point of the range of the last authorized rate of return on equity, the current embedded cost of fixed-rate capital, the actual cost of short-term debt, the actual cost of variable-cost debt, and the actual cost of other sources of capital which were used in the last individual rate proceeding of the utility. If the utility does not have an authorized rate of return on equity, the utility must ~~shall~~ use the current leverage formula pursuant to Section 367.081(4)(f), F.S.

(f) If the utility is requesting recovery of operating expenses, the following information must ~~shall~~ be provided:

1. through 4. No change.

(g) No change.

(h) If the utility includes any other items where calculations are required, supporting documentation must shall be filed that reflects the calculations or assumptions made.

(i) through (k) No change.

(l) Schedules for the most recent 12-month period showing that, without any increased rates, the utility will earn below its authorized rate of return in accordance with Section 367.082, F.S. The schedules must shall consist of a rate base, net operating income and cost of capital schedule with adjustments to reflect those consistent with the utility's last rate proceeding.

(m) If the limited proceeding is being requested to change the current rate structure, provide a copy of all workpapers and calculations used to calculate requested rates and allocations between each customer class. The test year must shall be the most recent 12-month period. In addition, the following schedules, ~~which are incorporated herein by reference,~~ from Form PSC 1028 (12/20) PSC/AFD 19-W (11/93), entitled "Class A Water and/or Wastewater Utilities Financial, Rate and Engineering Minimum Filing Requirements," which is incorporated by reference in Rule 25-30.437, F.A.C., must shall be provided; ~~The schedules can be obtained from the Commission's Division of Accounting and Finance.~~

1. Schedule E-2, entitled "Revenue Schedule at Present and Proposed Rates," ~~is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08251>.~~

2. Schedule E-14, entitled "Billing Analysis Schedules," ~~is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08252>.~~ Only an original and one copy is two copies are required.

(n) No change.

(o) A water utility's application for limited proceeding must shall also include:

1. through 2. No change.

(5) In addition to the requirements stated in subsections (1) through (3), the following minimum filing requirements must shall be filed with the utility's application for limited proceeding for a Class C water or wastewater utility:

(a) through (b) No change.

(c) A schedule that provides the specific rate base components for which the utility seeks recovery, if known.

Supporting detail must shall be provided for each item requested, including:

1. through 4. No change.

(d) through (g) No change.

(h) A Class C water utility's application for limited proceeding must shall also include:

1. through 2. No change.

(6) A limited proceeding will not be allowed if: ~~In evaluating whether the utility's request is improper for a limited proceeding, the Commission will consider factors such as:~~

(a) ~~Whether the utility's filing includes more than six 4 separate projects for which recovery is sought and the requested rate increase exceeds 30 percent.~~ Corresponding adjustments for a given project are not subject to the above limitation;

(b) The requested rate increase exceeds 30 percent;

(c)(b) Whether the utility has not had a rate case within in more than seven years of the date the petition for limited proceeding is filed with the Commission; and the requested rate increase exceeds 30 percent; or

(d)(c) Whether the limited proceeding is filed as the result of the complete elimination of either the water or wastewater treatment process and the requested rate increase exceeds 30 percent.

(7) The utility must shall provide a statement in its filing to the Commission that which addresses whether the utility's rate base has declined or whether any expense recovery sought by the utility is offset by customer growth since its most recent rate proceeding or will be offset by future customer growth expected to occur within one year of the date new rates are implemented.

Rulemaking Authority 350.127(2), 367.121(1)(a) FS. Law Implemented 367.081, 367.0812, 367.0822, 367.121(1)(a), 367.145(2) FS. History--New 3-1-04, Amended 5-30-17, _____.

25-30.446 Notice of and Public Information for Application for Limited Proceeding Rate Increase.

(1) This rule applies to all applications requests for limited proceeding rate increases made by a water or wastewater utility.

(2) Upon filing an application a petition for limited proceeding rate increase, the utility must notify shall mail a copy of the petition to the chief executive officer of the governing body of each municipality and county within the service areas included in the rate request that the utility has applied for a limited proceeding rate increase. The notification must clearly identify the Commission-assigned docket number and include Each copy of the petition shall be accompanied by a statement that a copy of the application and Minimum Filing Requirements (MFRs) set forth in Rule 25-30.445, F.A.C., when accepted by the Commission can be accessed on the Commission's website obtained from the petitioner upon request.

(3) Within 30 days after the official date of the filing established by the Commission, the utility shall place a copy of the petition and the MFRs at its official headquarters and at all business offices it has in the service areas included in the rate request. Such copies shall be available for public inspection during the utility's regular business hours. If the utility does not have a business office in a service area included in its rate request, the utility shall place a copy of the petition and the MFRs at the main county library, the local community center or other appropriate location which is within or most convenient to the service area and which is willing to accept and provide public access to the copies. If the Commission determines that these locations will not provide adequate access, the Commission will require that copies of the petition and MFRs be placed at other specified locations.

(3)(4) Upon filing an application a petition and MFRs for a limited proceeding, the utility must shall publish a notice of application in a newspaper of general circulation in the service areas included in the application petition.

(4)(5)(a) Within 50 days after the official date of filing established by the Commission, the utility must shall provide, in writing, an initial customer notice to all customers within the service areas included in the rate request and to all persons in the same service areas who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the petition is filed.

(b) The initial customer notice must be approved by Commission staff prior to distribution and must shall include the following:

1. through 2. No change

3. A statement that of the locations where copies of the MFRs and application petition are available on the Commission's website for public inspection and the hours and days when inspection may be made;

4. through 8. No change.

(c) The initial customer notice must shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.

(5)(6) No less than 14 days and no more than 30 days prior to the date of a customer meeting conducted by the Commission staff, the utility must shall provide written notice of the date, time, location, and purpose of the customer meeting to all customers within the service areas designated by the Commission staff. The notice must be approved by Commission staff prior to distribution. The notice must shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.

(6)(7) If a proposed agency action order issued in the case is protested and any hearings are subsequently held, the utility must give notice in accordance with subsection (5) of this rule shall give notice no less than 14 days and no more than 30 days prior to the date of each hearing held in or near a utility service area included in the rate request. The utility must shall also publish have published in a newspaper of general circulation in the area in which such hearing is to be held a display advertisement stating the date, time, location, and purpose of the hearing. The notice must be approved by Commission staff prior to publication.

(7)(8) After the Commission issues an order granting or denying a rate change, the utility must shall notify its customers of the order and any revised rates. The customer notification must be first approved by Commission staff and must shall be distributed no later than with the first bill containing any revised rates.

Rulemaking Authority 350.127(2), 367.121(1)(a) FS. Law Implemented 367.0822, 367.121(1)(a) FS. History—New 3-1-04, _____.

25-30.455 Staff Assistance in Rate Cases.

(1) Water and wastewater utilities whose total gross annual operating revenues are \$300,000 or less for water service or \$300,000 or less for wastewater service, or \$600,000 or less on a combined basis, may file with the Office

~~of Commission Clerk an application petition the Commission for staff assistance in rate applications by submitting a completed staff assisted rate case application. Reasonable and prudent rate case expense is shall be eligible for recovery through the rates developed by staff. Recovery of attorney fees and outside consultant fees related to the rate case is shall be determined based on the requirements set forth in Ssection 367.0814(3), F.S. To be eligible for staff assistance under this rule:~~

~~(a) The applicant or utility owner must have at least one year of experience operating the utility for which the rate increase is being requested;~~

~~(b) The utility must be in compliance with its annual report filing in accordance with subsection 25-30.110(3), F.A.C.; and~~

~~(c) The utility must have paid all required regulatory assessment fees or must be current on any approved regulatory assessment fee payment plan.~~

~~A utility that chooses not to exercise the option of staff assistance may file for a rate increase under the provisions of rule 25-30.443, F.A.C.~~

~~(2) The appropriate application form, Commission Form PSC/AFD 2-W (11/86) (Rev. 06/14), entitled "Application for a Staff Assisted Rate Case," is incorporated into this rule by reference and is available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-04415>. The form is also available on the Commission's website, www.floridapsc.com. ~~may also be obtained from the Commission's Division of Accounting and Finance, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.~~~~

~~(3) No change.~~

~~(4)(a) Within 30 days of receipt of the completed application, the Commission will evaluate the application and determine the applicant's eligibility for staff assistance.~~

~~(b)(a) If the Commission has received four or more applications in the previous 30 days; or, if the Commission has 20 or more docketed staff assisted rate cases in active status on the date the application is received, the Commission will deny initial evaluation of an application for staff assistance and close the docket. When an application is denied under the provisions of this paragraph, the Commission staff will notify the applicant of the date on which the application may be resubmitted.~~

~~(c)(b) Initially, determinations of eligibility will be conditional, pending an examination of the condition of the applicant's books and records.~~

~~(5) Upon making its final determination of eligibility, the Commission staff will notify the applicant in writing as to whether the application is officially accepted or denied. If the application is accepted, a staff assisted rate case will be initiated. If the application is denied, the notification of application denial will state the deficiencies in the application with reference to the criteria set out in subsection (7) of this rule.~~

~~(6) The date of Commission staff's written notification to the utility that the utility is eligible for staff assistance under this rule will be considered the date of official acceptance of the application by the Commission. The official date of filing is will be 30 days after the official acceptance of the application by the Commission staff. ~~date of the written notification to the applicant of the Commission's official acceptance of the application.~~~~

~~(7) In determining whether to grant or deny the application, the Commission will consider the following criteria:~~

~~(a) Whether the applicant qualifies for staff assistance pursuant to subsection (1) of this rule;~~

~~(b) Whether the applicant's books and records are organized consistent with rule 25-30.110, F.A.C., so as to allow Commission personnel to verify costs and other relevant factors within the 30-day time frame set out in this rule;~~

~~(c) Whether the applicant has filed annual reports;~~

~~(d) Whether the applicant has paid applicable regulatory assessment fees;~~

~~(e) Whether the applicant has at least one year of experience in utility operation;~~

~~(f) Whether the applicant has filed additional relevant information in support of eligibility, together with reasons why the information should be considered; and,~~

~~(g) Whether the utility was granted a rate case increase within the 2-year period prior to the receipt of the application under review.~~

~~(7)(8) The Commission will deny the application is deemed denied if the utility does not remit the filing fee, as provided by paragraph 25-30.020(2)(f), F.A.C., within 30 days after official acceptance.~~

~~(8)~~(9) An aggrieved applicant may request reconsideration of the application denial within 15 days of receipt of notification that the application is denied. The request, which will be decided by the full Commission.

~~(9)~~(10) A substantially affected person may file a petition to protest the Commission's proposed agency action in a staff assisted rate case within 21 days of issuance of the Notice of Proposed Agency Action Order, as set forth in Rule 28-106.111, F.A.C.

~~(10)~~(11) A petition to protest the Commission's proposed agency action must shall conform to Rule 28-106.201, F.A.C.

~~(11)~~(12) In the event of a protest of the Commission's Notice of Proposed Agency Action Order in a staff assisted rate case, the utility must shall:

(a) Provide prefiled direct testimony in accordance with the Order Establishing Procedure issued in the case. At a minimum, that testimony must shall adopt the Commission's Proposed Agency Action Order;

(b) through (d) No change.

~~(12)~~(13) Failure to comply with the dates established in the Order Establishing Procedure, or to timely file a request for extension of time for good cause shown, may result in dismissal of the staff assisted rate case and closure of the docket.

~~(13)~~(14) In the event of a protest of the Commission's Proposed Agency Action Order in a staff assisted rate case, the Commission staff will shall:

(a) File prefiled direct testimony to explain its analysis in the staff proposed agency action recommendation. In the event the staff wishes to alter its position on any issue, it will shall provide factual testimony to support its changed position;

(b) No change.

(c) Provide to the utility materials to assist the utility in the preparation of its testimony and exhibits. This material will shall consist of an example of testimony filed by a utility in another case, an example of testimony that would support the Proposed Agency Action Order in this case, an example of an exhibit filed in another case, and examples of prehearing statements and briefs filed in other cases.

Rulemaking Authority 350.127(2), 367.0814, 367.121 FS. Law Implemented 367.0814 FS. History—New 12-8-80, Formerly 25-10.180, Amended 11-10-86, 8-26-91, 11-30-93, 1-31-00, 12-16-08, 8-10-14, 2-19-17, 7-1-18, _____.

25-30.456 Staff Assistance in Alternative Rate Setting.

(1) As an alternative to a staff assisted rate case as described in Rule 25-30.455, F.A.C., water and wastewater utilities whose total gross annual operating revenues are \$300,000 or less for water service or \$300,000 or less for wastewater service, or \$600,000 or less on a combined basis, may file with the Office of Commission Clerk an application petition the Commission for staff assistance in alternative rate setting by submitting a completed staff assisted application for alternative rate setting. To be eligible for staff assistance under this rule:

(a) The applicant or utility owner must have at least one year of experience operating the utility for which the rate increase is being requested;

(b) The utility must be in compliance with its annual report filing in accordance with subsection 25-30.110(3), F.A.C.; and

(c) The utility must have paid all required regulatory assessment fees or must be current on any approved regulatory assessment fee payment plan.

(2) The ~~appropriate~~ application form, Commission Form PSC/AFD 25 (11/93) (Rev. 06/14), entitled "Application for Staff Assistance for Alternative Rate Setting," is incorporated into this rule by reference and is available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-04414>. The form is also available on the Commission's website, www.floridapsc.com, may also be obtained from the Commission's Division of Accounting and Finance, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

(3) Upon completion of the form, the applicant must shall file it with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

(4)(a) Within 30 days of receipt of the completed application, the Commission will evaluate the application and determine the applicant's eligibility for staff assistance.

~~(b)~~(a) If the Commission has received four or more alternative rate setting applications in the previous 30 days;

or, if the Commission has 20 or more docketed staff assisted rate cases in active status on the date the application is received, the Commission will deny initial evaluation of an application for staff assistance and close the docket. When an application is denied under the provisions of this paragraph, the Commission staff will notify the applicant of the date on which the application may be resubmitted.

~~(c)(b)~~ Determinations of eligibility will be conditional, pending an examination of the condition of the applicant's books and records.

(5) Upon making its final determination of eligibility, the Commission staff will notify the applicant in writing as to whether the application is officially accepted or denied. If the application is accepted, staff assistance in alternative rate setting will be initiated. If the application is denied, the notification of application denial will state the deficiencies in the application ~~with reference to the criteria set out in subsection (7) of this rule.~~

~~(6) The date of Commission staff's written notification to the utility that the utility is eligible for staff assistance under this rule will be considered the date of official acceptance of the application by the Commission. The official date of filing is will be 30 days after the date of official acceptance of the application. the written notification to the applicant of the Commission's official acceptance of the application.~~

~~(7) In determining whether to grant or deny the application, the Commission will consider the following criteria:~~

~~(a) Whether the applicant qualifies for staff assistance pursuant to subsection (1) of this rule;~~

~~(b) Whether the applicant's books and records are organized consistent with rule 25-30.110, F.A.C., so as to allow Commission personnel to verify costs and other relevant factors within the 30 day time frame set out in this rule;~~

~~(c) Whether the applicant has filed annual reports;~~

~~(d) Whether the applicant has paid applicable regulatory assessment fees;~~

~~(e) Whether the applicant has at least one year of experience in utility operation;~~

~~(f) Whether the applicant has filed additional relevant information in support of eligibility, together with reasons why the information should be considered; and;~~

~~(g) Whether the utility was granted a rate case increase within the 2-year period prior to the receipt of the application under review.~~

~~(7)(8) The Commission will deny the application is deemed denied if the utility does not remit the filing fee, as provided by paragraph 25-30.020(2)(f), F.A.C., within 30 days after official acceptance.~~

~~(8)(9) An aggrieved applicant may request reconsideration of the application denial within 15 days of receipt of notification that the application is denied. The request ~~which~~ will be decided by the full Commission.~~

~~(9)(10) The Commission will, for the purposes of determining the amount of rate increase, if any, compare the operation and maintenance expenses (O & M) of the utility to test year operating revenues. The Commission will consider an allowance for return on working capital using the one-eighth of O & M formula approach.~~

~~(10)(11) The Commission will limit the maximum increase in operating revenues to 50 percent of test year operating revenues.~~

~~(11)(12) The Commission will vote on a proposed agency action recommendation establishing rates no later than 90 days from the official filing date as established in subsection (6) of this rule.~~

~~(12)(13) A substantially affected person may file a petition to protest the Commission's Proposed Agency Action Order regarding a staff assisted alternative rate setting application within 21 days of issuance of the Notice of Proposed Agency Action Order as set forth in Rule 28-106.111, F.A.C.~~

~~(13)(14) A petition to protest the Commission's proposed agency action must shall conform to Rule 28-106.201, F.A.C.~~

~~(14)(15) In the event of protest of the Proposed Agency Action Order by a substantially affected person, the rates established in the Proposed Agency Action Order may be implemented on a temporary basis, subject to refund with interest in accordance with Rule 25-30.360, F.A.C. At that time, the utility may elect to pursue rates set pursuant to the rate base determination provisions of Rule 25-30.455, F.A.C.~~

~~(15)(16) In the event of a protest, the maximum increase established in subsection ~~(10)(11)~~ of this rule ~~shall~~ no longer applies apply.~~

~~(16)(17) In the event of a protest of the Commission's Proposed Agency Action Order in a staff assisted alternative rate setting application, the utility must shall:~~

(a) Provide prefiled direct testimony in accordance with the Order Establishing Procedure issued in the case. At a minimum, that testimony ~~must shall~~ adopt the Commission's Proposed Agency Action Order;

(b) through (d) No change.

~~(17)(18)~~ Failure to comply with the dates established in the Order Establishing Procedure, or to timely file a request for extension of time for good cause shown, may result in dismissal of the staff assisted alternative rate setting application and closure of the docket.

~~(18)(19)~~ In the event of protest of the Commission's Proposed Agency Action Order in a staff assisted alternative rate setting application, the Commission staff ~~will shall~~:

(a) File prefiled direct testimony to explain its analysis in the proposed agency action recommendation. In the event the staff wishes to alter its position on any issue, it ~~will shall~~ provide factual testimony to support its changed position;

(b) No change.

(c) Provide to the utility materials to assist the utility in the preparation of its testimony and exhibits. This material ~~will shall~~ consist of an example of testimony filed by a utility in another case, a sample of testimony that would support the Proposed Agency Action Order in this case, an example of an exhibit filed in another case, and examples of prehearing statements and briefs filed in other cases.

Rulemaking Authority 350.127(2), 367.0814, 367.121 FS. Law Implemented 367.0814 FS. History--New 11-30-93, Amended 1-31-00, 12-16-08, 8-10-14, 7-1-18, _____.

25-30.565 Application for Approval of New or Revised Service Availability Policy or Charges.

(1) An original and one copy of an Each application for a service availability policy or charges ~~must shall~~ be filed with the Office of Commission Clerk. The copy must be clearly labeled "COPY." If the application is e-filed with the Commission Clerk, the utility must file one paper copy, clearly labeled "COPY," with the Commission Clerk within seven calendar days after e-filing. ~~in original and six copies.~~

(2) Upon filing an application for a new or revised service availability charge or policy, the utility ~~must shall~~ provide notice pursuant to Rule 25-30.4345, F.A.C.

(3) A filing fee as required in Rule 25-30.020, F.A.C., ~~must shall~~ be submitted at the time of application.

(4) Each application ~~must shall~~ include the following, if applicable:

(a) No change.

(b) The name of the applicant, the applicant's principal place of business and each local office from which company operations are conducted. The applicant's name ~~must shall~~ be as it appears on the certificate issued by the Commission if one has been issued.

(c) through (i) No change.

~~(j) Provide~~ A list of outstanding developer agreements.

(k) through (v) No change.

~~(w) An original and three copies of~~ The proposed tariff sheets.

~~(5) Upon filing of the application and supporting exhibits, the utility shall place copies thereof at its local office of the utility serving the area affected by the charges and conditions, and such copies shall be made available for public inspection.~~

~~(5)(6)~~ Each utility ~~must shall~~ demonstrate the appropriateness of the requested service availability charges and conditions.

Rulemaking Authority 350.127(2), 367.121(1), 367.101 FS. Law Implemented 367.101 FS. History--New 6-14-83, Amended 11-10-86, 11-30-93, 5-29-08 _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kathryn G.W. Cowdery

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 12, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 47, Number 67, April 7, 2021.

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: July 13, 2021

TO: Kathryn Gale Winter Cowdery, Senior Attorney, Office of the General Counsel

FROM: Sevini K. Guffey, Public Utility Analyst III, Division of Economics *S.K.G.*

RE: **Statement of Estimated Regulatory Costs** for the Proposed Adoption of Rule 25-30.025, F.A.C., Official Date of Filing; Rule 25-30-4345, Notice of Requests for New or Revised Service Availability Charges or Policies and Notice of Requests for Allowance for Funds Prudently Invested (AFPI) Charges; Rule 25-30.445, F.A.C., General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding; Rule 25-30.446, F.A.C., Notice of and Public Information for Application for Limited Proceeding Rate Increase; Rule 25-30.455, F.A.C., Staff Assistance in Rate Cases; Rule 25-30.456, Staff Assistance in Alternative Rate Setting; and Rule 25-30.565, Application for Approval of New or Revised Service Availability Policy or Charges, F.A.C.

Commission staff is proposing revisions to Rules 25-30.025, Official Date of Filing; 25-30-4345, Notice of Requests for New or Revised Service Availability Charges or Policies and Notice of Requests for Allowance for Funds Prudently Invested (AFPI) Charges; 25-30.445, General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding; 25-30.446, Notice of and Public Information for Application for Limited Proceeding Rate Increase; 25-30.455, Staff Assistance in Rate Cases; 25-30.456, Staff Assistance in Alternative Rate Setting; and 25-30.565, Application for Approval of New or Revised Service Availability Policy or Charges, Florida Administrative Code (F.A.C.). These rules are applicable to all water and wastewater utilities that are under the Commission's jurisdiction. The purposes of these proposed rule revisions are to update water and wastewater utility rules related to applications for service availability charges, allowance for funds prudently invested, limited proceedings, and staff assistance in rate cases and in alternative rate setting.

The above stated proposed revisions are intended to make these rules consistent with changes recently adopted by the Commission in other water, wastewater, electric, and natural gas rules¹ that decrease the number of paper copies that utilities are required to file or distribute for public inspection; require utilities to notify customers that applications may be accessed on the Commission's website; change the responsibility for determining the official date of filing to the

¹ Docket No. 20200193-PU, Proposed amendment of Rules 25-6.043, 25-7.039, 25-22.0406, 25-22.0407, 25-30.436, and 25-30.437, and repeal of Rules 25-30.438, 25-30.4385, 25-30.440, and 25-30.443, F.A.C.; Docket No. 20200044-WS, Proposed amendment of Rule 25-30.457, F.A.C., Limited Alternative Rate Increase.

Page 2
July 13, 2021

Director of the office of primary responsibility (OPR); and clarify application filing requirements.

The attached Statement of Estimated Regulatory Costs (SERC) addresses the economic impacts and considerations required pursuant to Section 120.541, Florida Statutes (F.S.). In response to staff's data request dated June 11, 2021, the water and wastewater utilities stated that the proposed rule revisions will result in monetary savings. The SERC analysis indicates that the proposed rule amendments will not likely increase regulatory costs, including any transactional costs or have an adverse impact on business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within five years of implementation. The proposed rule amendments would not potentially have adverse impacts on small businesses, would have no implementation cost to the Commission or other state and local government entities, and would have no impact on small cities or counties.

No regulatory alternatives were submitted pursuant to Section 120.541(1)(g), F.S. The SERC concludes that none of the impacts/cost criteria established in Sections 120.541(2)(a), (c), (d), and (e), F.S., will be exceeded as a result of the proposed rule revisions.

cc: SERC File

**FLORIDA PUBLIC SERVICE COMMISSION
STATEMENT OF ESTIMATED REGULATORY COSTS**

Rules 25-30.025, 25-30.445, 25-30.446, 25-30.455, 25-30.456, 25-30.565,
and 25-30.4345, F.A.C.

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

Yes

No

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

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

Yes

No

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

A. Whether the rule directly or indirectly:

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

Economic growth Yes No

Private-sector job creation or employment Yes No

Private-sector investment Yes No

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

Business competitiveness (including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets) Yes No

Productivity Yes No

Innovation Yes No

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

Yes

No

Economic Analysis: In response to staff's data request, U.S. Water Services Corporation and Utilities, Inc. of Florida stated that the revised rules will result in cost reductions to the utilities. Reducing the number of paper copies of the limited proceeding application to be filed with the Commission and not having to mail copies of the petition and MFRs to municipalities in the affected service area will save approximately \$50 to \$225 per filing. Reducing the number of copies of service availability policy or charges will result in savings of approximately \$100 to \$150 per filing. Deleting the requirement to place a copy of the service availability charges and policies in physical locations will result in savings of approximately \$100 to \$225 per filing.

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.

128 Florida water and wastewater utilities within the Commission's jurisdiction will be required to comply with the rules. The utilities will incur reduced costs from the proposed rule revisions.

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

Types of individuals to be affected or have indirect benefit would be the customers of the 128 water and wastewater utilities regulated by the Commission, serving 96,419 water customers and 59,802 wastewater customers. These customers will benefit from cost reductions.

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

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

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

Minimal. Provide a brief explanation.

Other. Provide an explanation for estimate and methodology used.

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

the rule.

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

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

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

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

[120.541(2)(d), F.S.]

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

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

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

- No adverse impact on small business.
- Minimal. Provide a brief explanation.
- Other. Provide an explanation for estimate and methodology used.

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

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

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

- None.

Additional Information:

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

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

Office of Fiscal Accountability and Regulatory Reform
Rulemaking Notification

(Executive Order 11-211 requires agencies must submit all rulemaking notices to OFARR at least 1 week prior to publication)

To: Kaley Flynn, Director

Submitted By: Name, Title: Kathryn G.W. Cowdery, Senior Attorney

Agency, Board: Florida Public Service Commission

Phone Number: 850-413-6199

Re: Rulemaking Notification for:

Rule Number: [] Rule Title: []

Rule Summary: See attached table

List EACH rule separately. Add tables as needed.

Date: [Date request sent to 10/14/2021 OFARR] Date of anticipated 10/14/2021 publication:

Does this rule qualify for Rules Ombudsman review in accordance with section 120.54(3)(b), F.S.? Yes No

Please complete this form when submitting rulemaking notification to the Office of Fiscal Accountability and Regulatory Reform (OFARR) pursuant to Executive Order 11-211 and Directive published on November 11, 2019. If any information or documents are missing, the notification will be returned without review. OFARR will indicate what is missing, and the completed notification must be resubmitted.

1. Proposed Rulemaking Activity:

- Notice of Development of Rulemaking – Attach the proposed Notice. If no text is available, give a detailed explanation of the rulemaking, including why it is necessary.
- Notice of Proposed Rule – Attach the proposed Notice, “Is a SERC Required” Checklist, and SERC (if required), all materials incorporated by reference, and all forms referenced or required by the rule.
- Notice of Emergency Rule – Attach the proposed Notice. Explain fully why emergency rulemaking is appropriate.
- Notice of Change – Attach the proposed Notice. Be sure the text is coded correctly according to Rule 1B-30.003(5)(f), F.A.C. Explain why a change is required. Attach any correspondence from JAPC or the public. If no documents exist, summarize any public comment the agency has received or public hearings/workshops the agency has held.
- Notice of Withdrawal – Attach the proposed Notice. Explain why it is necessary to withdraw the rulemaking. Include any JAPC correspondence.
- Other – Attach the proposed Notice. Include detailed information about the rulemaking.

Office of Fiscal Accountability and Regulatory Reform
Rulemaking Notification

(Executive Order 11-211 requires agencies must submit all rulemaking notices to OFARR at least 1 week prior to publication)

2. Is this rulemaking included in the agency's Annual Regulatory Plan (ARP)? Yes No

3a. Does each amendment or new rule:

Rule Number: **Rule Title:**

Increase Fees? Yes No N/A

Increase Regulation? (I.E., Additional Licensure, Continuing Education Requirements, etc.) Yes No N/A

List EACH rule separately. Add tables as needed.

3b. For each new rule, the following information is required:

Rule Number: **Rule Title:**

Statute Authorizing Rulemaking: **Statutory language authorizing rulemaking authority:**

Statute Mandating Rulemaking: **Statutory language requiring rulemaking:**

New rule is due to a Legislative change occurring within the past 24 months: Yes No **Provide chapter law and effective date**

List each rule separately. Add tables as needed.

4. Has the agency received any public comment about this rulemaking since the last rulemaking notification?

Yes No

If yes, please summarize the comment and the agency's position regarding the comment (i.e. has made or intends to make changes based on the comment, disagrees with the comment, etc.) and attach any documents.

5. Has the agency received any comment from JAPC since the last rulemaking notification?

Yes No

Office of Fiscal Accountability and Regulatory Reform
Rulemaking Notification

(Executive Order 11-211 requires agencies must submit all rulemaking notices to OFARR at least 1 week prior to publication)

If yes, please summarize the comment and attach any documents.

For Notice of Proposed Rules Only

6. Describe the public need for the proposed rule and an explanation of how the proposed rule will address that need.

These rules are necessary for implementing Chapter 367, Florida Statutes, concerning the application processes and notice and public information concerning water and wastewater utility applications for new or revised service availability charges or policies; applications for allowance for funds prudently invested charges; applications for a limited proceeding; and staff assistance in rate cases and alternative rate settings. See also SERC

7. Has the agency received, been made aware of, or contemplated/reviewed any lower cost regulatory alternatives (LCRA)?

Yes No

If yes, describe in detail what action the agency took in response to the LCRA. If no, please explain.

8. Summarize qualitative and quantitative *benefits* of the proposed rule. Benefits may include but are not limited to: productivity, efficiency, employment and accessibility, enhancement of health and safety, and protection of the environment.

See attached SERC

Office of Fiscal Accountability and Regulatory Reform
Rulemaking Notification

(Executive Order 11-211 requires agencies must submit all rulemaking notices to OFARR at least 1 week prior to publication)

9. Summarize qualitative and quantitative costs of the proposed rule. Costs may include but are not limited to: cost to government in administering the regulation, costs to businesses and professionals in complying with the regulation, adverse effects on the economy, private markets, health, safety and the environment.

See attached SERC

10. Does the proposed rule include a sunset provision (not to exceed five years)?

Yes No

If no, please detail why and attach any supplemental documentation.

The proposed rules implement important utility ratemaking statutes and provide requirements for public notification and do not require a sunset provision.

Rule Number	Rule Title	Rule Summary	Increase Fees? (3.a.)	Increase Regulation? (3.a.)
Rule 25-30.025	Official Date of Filing	The rule is amended to change the person responsible for determining the date on which the utility has filed a complete application from the Deputy Executive Director, Technical, to the Director of the agency division that has been assigned the primary responsibility for the filing. This change is made for administrative efficiency.	No	No
Rule 25-30.4345	Notice of Requests for New or Revised Service Availability Charges or Policies and Notice of Requests for Allowance for Funds Prudently Invested (AFPI) Charges	The rule is amended to update and clarify rule language; eliminate the requirement to file paper copies of documents at various locations; and require the utility to include a statement in its notice that the utility's application can be accessed on the Commission's website. The effect of these amendments is to save rate case costs while giving clear access to documents electronically and to add clarity to the rule.	No	No
Rule 25-30.445	General Information and Instructions Required of Water and Wastewater Utilities in an Application for a Limited Proceeding	This rule is amended to update and clarify rule language and reduce the number of paper copies of applications filed at the Commission. The rule is amended to provide that a limited proceeding will not be allowed if the utility's filing includes more than six separate projects for which recovery is sought; the requested rate increase exceeds 30 percent; the utility has not had a rate case within seven years of the date the petition for limited proceeding is filed; or the limited proceeding is filed as the result of the complete elimination of either the water or wastewater treatment process. The effect of these amendments is to save rate case costs and to add clarity to the application process.	No	No

Rule 25-30.446	Notice of and Public Information for General Rate Increase Requests by Water and Wastewater Utilities	This rule is amended to update and clarify rule language; eliminate the requirement to file paper copies of rate case documents at various locations; and require the utility to include a statement in its initial customer notice that the utility's application can be accessed on the Commission's website. The effect of these amendments is to save rate case costs while giving clear access to documents electronically.	No	No
Rule 25-30.455	Staff Assistance in Rate Cases	This rule is amended to update and clarify rule language and add specificity to the criteria making a utility eligible for staff assistance. The effect of these amendments is to add clarity to the application process.	No	No
Rule 25-30.456	Staff Assistance in Alternative Rate Setting	This rule is amended to update and clarify rule language and add specificity to the criteria making a utility eligible for staff assistance in alternative rate setting. The effect of these amendments is to add clarity to the application process.	No	No
Rule 25-30.565	Application for Approval of New or Revised Service Availability Policy or Charges	This rule is amended to update and clarify rule language; reduce the number of paper copies of applications filed at the Commission; and eliminate the requirement to file paper copies of the application at its local office. The effect of these amendments is to save rate case costs while giving clear access to documents electronically pursuant to Rule 25-30.4345, F.A.C., and to add clarity to the rule.	No	No

Julie Phillips

From: Kathryn Cowdery
Sent: Thursday, October 14, 2021 1:39 PM
To: Julie Phillips
Subject: FW: To the Rule Ombudsman

From: Reform, Reg <Reg.Reform@eog.myflorida.com>
Sent: Thursday, October 14, 2021 1:38 PM
To: Kathryn Cowdery <kcowdery@PSC.STATE.FL.US>
Subject: RE: To the Rule Ombudsman

Received – thank you.

Mark Buckles
OFARR Director

From: Kathryn Cowdery <kcowdery@PSC.STATE.FL.US>
Sent: Thursday, October 14, 2021 9:07 AM
To: Reform, Reg <Reg.Reform@eog.myflorida.com>
Cc: Julie Phillips <JPhillip@PSC.STATE.FL.US>
Subject: To the Rule Ombudsman

Dear Ms. Flynn:

Please see the attached Rulemaking Notification concerning FPSC Docket 20210122-WS.

We would appreciate your providing confirmation by “Reply All” that the Office of Fiscal Accountability and Regulatory Reform has received this Rulemaking Notification.

Thank you for your assistance.

Kathryn G.W. Cowdery
Senior Attorney
Florida Public Service Commission

Please note that under Florida law correspondence sent to the Governor's Office, which is not confidential or exempt pursuant to chapter 119 of the Florida Statutes, is a public record made available upon request.