

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-6.049,
F.A.C., Measuring Customer Service.

DOCKET NO. 20260037-OT
ORDER NO. PSC-2026-0328-NOR-OT
ISSUED: September 17, 2026

The following Commissioners participated in the disposition of this matter:

GABRIELLA PASSIDOMO SMITH, Chairman
GARY F. CLARK
MIKE LA ROSA
BOBBY PAYNE
ANA ORTEGA

NOTICE OF PROPOSED RULE

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has proposed the amendment of Rule 25-6.049, Florida Administrative Code, relating to measuring customer service.

The attached Notice of Proposed Rule appeared in the September 17, 2026, edition (Vol. 52, Number 181) of the Florida Administrative Register.

If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Requests for hearing on the proposed rule, information regarding the statement of estimated regulatory costs, or proposals for a lower cost regulatory alternative must be provided in writing and received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0862, no later than October 8, 2026.

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By ORDER of the Florida Public Service Commission this 17th day of September, 2026.

A handwritten signature in black ink, appearing to read 'A. Teitzman', is written over a horizontal line.

ADAM TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:

25-6.049 Measuring Customer Service

PURPOSE AND EFFECT: To update and clarify the rule following the statutory rule review mandated by Section 120.5435, Florida Statutes. Docket No.: 20260037-OT

SUMMARY: This rule is being amended to update and clarify rule language and align classification of certain occupancy structures with that of Florida's Department of Business and Professional Regulation. These amendments address the reasons underlying frequent requests for rule waivers on this rule and the Commission's approval of those requests.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this rule 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 Agency website where the SERC can be viewed in its entirety is: <file:///fp3/filings/psc/library/filings/2026/06258-2026/06258-2026.pdf>. The SERC examined the factors required by Section 120.541(2), F.S., and concluded that the proposed 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 would have no impact on small business, 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.

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 on the SERC.

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

RULEMAKING AUTHORITY: 350.127(2), 366.05(1) FS

LAW IMPLEMENTED: 366.05(1), 366.06(1), 366.81, 366.82 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: Susan Sapoznikoff, susan.sapoznikoff@psc.state.fl.us, (850)413-6630.

THE TEXT OF THE PROPOSED RULE IS:

25-6.049 Measuring Customer Service.

(1) through (4) No change.

(5) Individual electric metering by the utility shall be required for each separate occupancy unit of new commercial establishments, residential buildings, condominiums, cooperatives, marinas, and trailer, mobile home and recreational vehicle parks. However, individual metering shall not be required for any such occupancy unit for which a construction permit was issued before, and which has received master-metered service continuously since January 1, 1981. In addition, individual electric meters shall not be required:

(a) through (c) No change.

(d) For transient public lodging establishments as defined by Section 509.013, F.S., and classified as such in Section 509.242, F.S. such as hotels, motels, and similar facilities which are rented, leased, or otherwise provided to guests by an operator providing overnight occupancy as defined in paragraph (8)(b);

(e) For ~~separate, specially designated areas of~~ for overnight occupancy, as defined in paragraph (8)(b), at trailer, mobile home and recreational vehicle parks and marinas at which ~~where~~ permanent occupancy, as defined in subsection (8) of this rule ~~residency~~ is not established;

(f) No change.

(g) For condominiums that meet the following criteria:

1. ~~The declaration of condominium requires that~~ At least 75 95 percent of the units are classified as a “vacation rental” under Section 509.242, F.S. used solely for overnight occupancy as defined in paragraph (8)(b) of this rule;

2. through 3. No change.

(6) Master-metered condominiums.

(a) Initial Qualifications – In addition to the criteria in paragraph (5)(g), in order to initially qualify for master-metered service, the owner or developer of the condominium, the condominium association, or the customer must attest to the utility that the criteria in paragraph (5)(g) and in this subsection have been met, and that any cost of future conversion to individual metering will be the responsibility of the customer, consistent with subsection (7) of this rule. Upon request and reasonable notice by the utility, the utility shall be allowed to inspect the condominium to collect evidence needed to determine whether the condominium complies ~~is in compliance~~ with this rule. If the criteria in paragraph (5)(g) and in this subsection are not met, then the utility shall not provide master-metered service to the condominium.

(b) No change.

(c) Upon request and reasonable notice by the utility, the utility shall be allowed to inspect the condominium to collect evidence needed to determine whether the condominium complies ~~is in compliance~~ with this rule.

(d) Failure to Comply – If a condominium is master metered under the exemption in this rule and subsequently fails to meet the criteria contained in paragraph (5)(g), or the customer fails to make the annual attestation required by paragraph (6)(b), then the utility shall promptly notify the customer that the condominium is no longer eligible for master-metered service. If the customer does not respond with clear evidence to the contrary within 30 days of receiving the notice, the customer shall individually meter the condominium units within six months following the date on the notice. During this six-month ~~six-month~~ period, the utility shall not discontinue service based on failure to comply with this rule. Thereafter, the provisions of Rule 25-6.105, F.A.C., apply.

(7) No change.

(8) For purposes of this rule permanent occupancy means habitation for more than 180 days during any consecutive 12-month period.:

~~(a) “Occupancy unit” means that portion of any commercial establishment, single and multi unit residential building, or trailer, mobile home or recreational vehicle park, or marina which is set apart from the rest of such facility by clearly determinable boundaries as described in the rental, lease, or ownership agreement for such unit.~~

~~(b) “Overnight Occupancy” means use of an occupancy unit for a short term such as per day or per week where permanent residency is not established.~~

(9) No change.

Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.05(1), 366.06(1), 366.81, 366.82 FS. History—New 7-29-69, Amended 11-26-80, 12-23-82, 12-28-83, Formerly 25-6.49, Amended 7-14-87, 10-5-88, 3-23-97, 10-10-06,___.

NAME OF PERSON ORIGINATING PROPOSED RULE: Corey Hampson

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

DATE PROPOSED RULE WAS APPROVED BY AGENCY HEAD: September 10, 2026

DATE NOTICE OF RULE DEVELOPMENT WAS PUBLISHED IN FAR: March 24, 2026 (Volume 52, Number 57)