

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO: 980569-PU

IN RE: Proposed amendments to Rules 25-4.002, F.A.C., Application and Scope; 25-4.141, F.A.C., Minimum Filing Requirements for Rate of Return Regulated Local Exchange Companies; Commission Designee; 25-4.202, F.A.C., Construction and Waivers; 25-24.455, F.A.C., Scope and Waiver; 25-6.002, F.A.C., Application and Scope; 25-6.043, F.A.C., Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee; 25-6.0438, F.A.C., Non-Firm Electric Service - Terms and Conditions; 25-17.087, F.A.C., Interconnection and Standards; 25-30.010, F.A.C., Rules for General Application; 25-30.011, F.A.C., Application and Scope; 25-30.436, F.A.C., General Information and Instructions Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase; 25-30.450, F.A.C., Burden of Proof and Audit Provisions; 25-30.455, F.A.C., Staff Assistance in Rate Cases; 25-30.456, F.A.C., Staff Assistance in Alternative Rate Setting; 25-30.570, F.A.C., Imputation of Contributions-in-Aid-of-Construction; and 25-30.580, F.A.C., Guidelines for Designing Service Availability Policy.

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: May 1, 1998

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rules 25-4.002, Application and Scope; 25-4.141, Minimum Filing Requirements for Rate of Return Regulated Local Exchange Companies; Commission Designee; 25-4.202, Construction and Waivers; 25-24.455, Scope and Waiver; 25-6.002, Application and Scope; 25-6.043, Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee; 25-6.0438, Non-Firm Electric Service - Terms and Conditions; 25-17.087, Interconnection and Standards; 25-30.010, Rules for General Application; 25-30.011, Application and Scope; 25-30.436, General Information and Instructions Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase; 25-30.450, Burden of Proof and Audit Provisions; 25-30.455, Staff Assistance in Rate Cases; 25-30.456, Staff Assistance in Alternative Rate Setting; 25-30.570, Imputation of Contributions-in-Aid-of-Construction; and 25-30.580, Guidelines for Designing

DOCUMENT NUMBER-DATE

04937 MAY-18

FPSC-RECORDS/REPORTING

DOCKET NO. 980569-PU

PAGE 2

Service Availability Policy, Florida Administrative Code, to repeal the provisions relating to waiver and variance of rules.

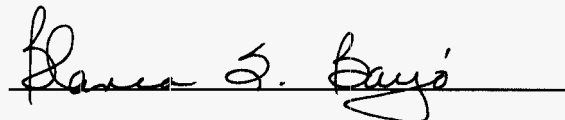
The attached Notices of Proposed Rule Development will appear in the May 15, 1998, edition of the Florida Administrative Weekly. If timely requested and not deemed unnecessary by the Commission, a rule development workshop will be held at the following time and place:

Florida Public Service Commission
1:00 PM, Thursday, June 11, 1998
Betty Easley Conference Center
Room 152, 4075 Esplanade Way
Tallahassee, Florida 32399-0850

The request must be submitted in writing and received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, no later than June 5, 1998.

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

By Direction of the Florida Public Service Commission, this 1st day of May, 1998.



BLANCA S. BAYÓ, Director
Division of Records & Reporting

(S E A L)

MAH

DOCKET NO. 980569-PU
PAGE 3

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO: 980569-PU

RULE TITLE:	RULE NO.:
Application and Scope	25-4.002
Minimum Filing Requirements for Rate-of- Return Regulated Local Exchange Companies; Commission Designee	25-4.141
Construction and Waivers	25-4.202

PURPOSE AND EFFECT: The purpose of these rule amendments is to repeal the rule provisions for which the Commission no longer has rule authority under the more restrictive rulemaking standard in Section 120.536, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The repeal of waiver and variance rule provisions no longer authorized by statute.

SPECIFIC AUTHORITY: 350.127, 350.127(2), FS

LAW IMPLEMENTED: 364.01, 364.05(4), 364.052, 364.337, FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 PM, Thursday, June 11, 1998

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399-0850

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF RECORDS AND REPORTING, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary Anne Helton, Division of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least five calendar days 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-4.002 Application and Scope.

- (1) No change.
- (2) Repeal.
- (3)-(4) No change.

Specific Authority: 350.127, F.S.

Law Implemented: 364.01, 364.337, F.S.

History: Revised 12/1/68, formerly 25-4.02, Amended 2/23/87, 1/8/95, _____.

25-4.141 Minimum Filing Requirements for Rate-of-Return Regulated Local Exchange Companies; Commission Designee.

- (1)-(3) No change.
- (4) Repeal.

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

DOCKET NO. 980569-PU

PAGE 5

Law Implemented: 364.05(4), F.S.

History: New 5/4/81, Amended 7/29/85, 6/11/86, 2/3/88, 3/10/96,

=====.

25-4.202 Construction ~~and Waivers~~

(1)-(2) No change.

(3) Repeal.

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

Law Implemented: 364.052, F.S.

History: New 3/10/96, Amended .

DOCKET NO. 980569-PU
PAGE 6

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO: 980569-PU

RULE TITLE:

RULE NO.:

Scope and Waiver

25-24.455

PURPOSE AND EFFECT: The purpose of these rule amendments is to repeal the rule provisions for which the Commission no longer has rule authority under the more restrictive rulemaking standard in Section 120.536, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The repeal of waiver and variance rule provisions no longer authorized by statute.

SPECIFIC AUTHORITY: 350.127(2), FS.

LAW IMPLEMENTED: 364.01, 364.337, FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 PM, Thursday, June 11, 1998

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399-0850

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF RECORDS AND REPORTING, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary Anne Helton, Division of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least five calendar days 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-24.455 ~~Scope and Waiver.~~

(1)-(3) No change.

(4) Repeal.

(5) No change.

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

Law Implemented: 364.01, 364.337, F.S.

History: New 2/23/87, Amended.

DOCKET NO. 980569-PU
PAGE 8

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO: 980569-PU

RULE TITLE:	RULE NO.:
Application and Scope	25-6.002
Investor-Owned Electric Utility Minimum Filing Requirements; Commission Designee	25-6.043
Non-Firm Electric Service - Terms and Conditions	25-6.0438

PURPOSE AND EFFECT: The purpose of these rule amendments is to repeal the rule provisions for which the Commission no longer has rule authority under the more restrictive rulemaking standard in Section 120.536, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The repeal of waiver and variance rule provisions no longer authorized by statute.

SPECIFIC AUTHORITY: 350.127(2), 366.05(1), (2), 366.06(3), FS.

LAW IMPLEMENTED: 366.03, 366.04, 366.041, 366.05, 366.05(1), 366.06(1), (2), (3), (4), 366.04(2)(f), 366.071, FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 P.M., Thursday, June 11, 1998

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399-0850

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF RECORDS AND

DOCKET NO. 980569-PU
PAGE 9

REPORTING, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT
IS: Mary Anne Helton, Division of Appeals, Florida Public Service
Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

Any person requiring some accommodation at this workshop
because of a physical impairment should call the Division of
Records and Reporting at (850) 413-6770 at least five calendar days
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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-6.002 Application and Scope.

- (1) No change.
- (2) Repeal.
- (3) No change.
- (4) Repeal.
- (5) No change.

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

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

History: New 7/29/69, formerly 25-6.02, Amended _____.

25-6.043 Investor-Owned Electric Utility Minimum Filing
Requirements; Commission Designee.

- (1)-(2) No change.

DOCKET NO. 980569-PU

PAGE 10

(3) Repeal.

Specific Authority: 366.05(1), (2), 366.06(3), F.S.

Law Implemented: 366.06(1), (2), (3), (4), 366.04(2)(f), 366.071, F.S.

History: New 5/27/81, formerly 25-6.43, Amended 7/5/90, .

25-6.0438 Non-Firm Electric Service - Terms and Conditions.

(1)-(8) No change.

(9) Repeal.

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

Law Implemented: 366.03, 366.04, 366.041, 366.05, F.S.

History: New 8/21/86, Amended 9/4/91, .

DOCKET NO. 980569-PU
PAGE 11

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO: 980569-PU

RULE TITLE: Interconnection and Standards
RULE NO.: 25-17.087

PURPOSE AND EFFECT: The purpose of these rule amendments is to repeal the rule provisions for which the Commission no longer has rule authority under the more restrictive rulemaking standard in Section 120.536, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The repeal of waiver and variance rule provisions no longer authorized by statute.

SPECIFIC AUTHORITY: 366.051, 350.127(2), FS.

LAW IMPLEMENTED: 366.04(2)(c)&(5), 366.051, FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 PM, Thursday, June 11, 1998

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399-0850

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF RECORDS AND REPORTING, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary Anne Helton, Division of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least five calendar days 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-17.087 Interconnection and Standards.

(1) No change.

(2)-(3) Repeal.

(4)-(11) No change.

Specific Authority: 366.051, 350.127(2), F.S.

Law Implemented: 366.04(2)(c)&(5), 366.051, F.S.

History: New 9/4/83, formerly 25-17.87, Amended 10/25/90, 5/6/93.

DOCKET NO. 980569-PU
PAGE 13

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO: 980569-PU

RULE TITLE:	RULE NO.:
Rules for General Application	25-30.010
Application and Scope	25-30.011
General Information and Instructions Required of Class A and B Water and Wastewater Utilities in An Application for Rate Increase	25-30.436
Burden of Proof and Audit Provisions	25-30.450
Staff Assistance in Rate Cases	25-30.455
Staff Assistance in Alternative Rate Setting	25-30.456
Imputation of Contributions-in-Aid-of- Construction	25-30.570
Guidelines for Designing Service Availability Policy	25-30.580

PURPOSE AND EFFECT: The purpose of these rule amendments is to repeal the rule provisions for which the Commission no longer has rule authority under the more restrictive rulemaking standard in Section 120.536, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The repeal of waiver and variance rule provisions no longer authorized by statute.

SPECIFIC AUTHORITY: 367.101, 367.0814, 367.121, 350.127(2), 367.121(1), FS.

LAW IMPLEMENTED: 367.081, 367.101, 367.0814, 367.083, 367.121, 367.121(1), FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE

DOCKET NO. 980569-PU
PAGE 14

DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 PM, Thursday, June 11, 1998

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399-0850

THE WORKSHOP REQUEST MUST BE SUBMITTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO THE COMMISSION'S DIVISION OF RECORDS AND REPORTING, 2540 SHUMARD OAK BOULEVARD, TALLAHASSEE, FL 32399-0850. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mary Anne Helton, Division of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of Records and Reporting at (850) 413-6770 at least five calendar days 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:
25-30.010 Rules for General Application. The rules hereinafter set forth are for general application and are subject to such changes and modifications, permitted by law, as the Commission from time to time may determine advisable. ~~The rules are subject to such exceptions as the Commission may consider just and reasonable in~~

~~individual cases.~~ The rules are supplementary to the Water and Wastewater System Regulatory Law, Chapter 367, Florida Statutes.

Specific Authority: 367.121, F.S.

Law Implemented: 367.121, F.S.

History: Amended 2/3/70, 9/12/74, formerly 25-10.01, Transferred from 25-10.001 11/9/86, Amended.

25-30.011 Application and Scope.

(1)-(3) No change.

(4) Repeal.

(5)-(6) No change.

Specific Authority: 367.121, F.S.

Law Implemented: 367.121(1), F.S.

History: Amended 9/12/74, formerly 25-10.14, Transferred from 25-10.014 and Amended 11/9/86, _____.

25-30.436 General Information and Instructions Required of Class A and B Water and Wastewater Utilities in an Application for Rate Increase.

(1)-(5) No change.

(6) Repeal.

(7) No change.

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

Law Implemented: 367.081, 367.083, 367.121, F.S.

History: New 11/9/86, Amended 6/25/90, 11/30/93, _____.

25-30.450 Burden of Proof and Audit Provisions. In each

instance, the utility must be able to support any schedule submitted, as well as any adjustments or allocations relied on by the utility. The work sheets, etc. supporting the schedules and data submitted must be organized in a systematic and rational manner so as to enable Commission personnel to verify the schedules in an expedient manner and minimum amount of time. The supporting work sheets, etc., shall list all reference sources necessary to enable Commission personnel to track to original source of entry into the financial and accounting system and, in addition, verify amounts to the appropriate schedules.

~~Utilities may request a waiver of specific parts of the above rule from the Commission by submitting a written statement setting forth the reason, in detail, why the waiver should be granted.~~

Specific Authority: 367.121, F.S.

Law Implemented: 367.081, F.S.

History: New 6/10/75, Transferred from 25-10.177 11/9/86, Amended

25-30.455 Staff Assistance in Rate Cases.

(1)-(10) No change.

(11) Repeal.

(12)-(15) No change.

Specific Authority: 367.0814, 367.121, F.S.

Law Implemented: 367.0814, F.S.

History: New 12/8/80, Transferred from 25-10.180 and Amended

DOCKET NO. 980569-PU
PAGE 17

11/9/86, 8/26/91, 11/30/93, .

25-30.456 Staff Assistance in Alternative Rate Setting.

(1)-(10) No change.

(11) Repeal.

(12)-(20) No change.

Specific Authority: 367.0814, 367.121, F.S.

Law Implemented: 367.0814, F.S.

History: New 11/30/93, Amended .

25-30.570 Imputation of Contributions-in-Aid-of-Construction.

(1) No change.

(2) Repeal.

Specific Authority: 367.121(1), 367.101, F.S.

Law Implemented: 367.101, F.S.

History: New 6/14/83, formerly 25-30.57, Amended .

25-30.580 Guidelines for Designing Service Availability Policy.

(1) No change.

(2) Repeal.

Specific Authority: 367.121(1), 367.101, F.S.

Law Implemented: 367.101, F.S.

History: New 6/14/83, formerly 25-30.58, Amended .