

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

DATE: June 20, 2018

TO: Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk

FROM: Kathryn G.W. Cowdery, Senior Attorney, Office of the General Counsel

RE: Docket No. 20170222-WS – Proposed amendment of Rules 25-30.130 and 25-30.355, F.A.C.

Please file the attached document in the above-referenced docket. This is a closed docket. Thank you.

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COMMISSION
CLERK

Kathryn Cowdery

From: Kathryn Cowdery
Sent: Thursday, June 29, 2017 9:45 AM
To: 'Martin S. Friedman (mfriedman@ff-attorneys.com)'; 'J. R. Kelly (kelly.jr@leg.state.fl.us)'; 'vandiver.denise@leg.state.fl.us'; 'Troy Rendell'; 'mike@fus1llc.com'; 'jphoy@uiwater.com'; 'Gary.Williams@frwa.net'; 'jdeason@uiwater.com'; 'marionutl@aol.com'; Lisa Roddy
Cc: Keith Hetrick; Samantha Cibula
Subject: Proposed amendment of Rules 25-30.130 and 25-30.355, F.A.C.
Attachments: 25-30.130 draft.docx; 25-30.355 draft.docx

On July 27, 2017, staff conducted a rule development workshop on the amendment of Rules 25-30.130, Record of Complaints, and 25-30.355, Complaints. Attached is a copy of the draft rules. Please note that the draft amendments to Rule 25-30.130(2) have been modified in line 9 to state that utilities shall maintain a record of each complaint for a minimum of five years "from the date of receipt..." Staff is inviting post-workshop comments on these draft rule amendments, and asks that your comments be submitted by July 5, 2017. Please let me know if you have any questions.

Thank you.

Kathryn G.W. Cowdery
Senior Attorney
Florida Public Service Commission
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Please note: Florida has very broad public records laws. Many written communications to or from the Florida Public Service Commission may be considered public records, which must be made available to anyone upon request. Your e-mail communications may therefore be subject to public disclosure.

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25-30.130 Record of Complaints.

(1) Each utility shall maintain a record of all complaints ~~each signed, written complaint~~ received by the utility from any of that utility's customers.

(2) ~~Each~~ The record shall show ~~include~~ the name and address of the complainant; the nature of the complaint; the date received; the result of any ~~the~~ investigation; the disposition of the complaint; and the date of ~~the disposition of the complaint~~. The word "complaint" as used in this rule is defined in subsection 25-30.355(1), F.A.C.

(2) Notwithstanding the requirements of paragraph 25-30.110(1)(a), F.A.C., utilities shall maintain a record of each complaint for a minimum of five years from the date of receipt and shall provide a copy of records of complaints to the Commission upon Commission staff's request. Documentation relating to customer complaints processed under Rule 25-22.032, F.A.C., shall be retained as set forth in paragraph 25-22.032(10)(a), F.A.C.

Rulemaking Authority 350.127(2), 367.121(1) FS. Law Implemented 367.111, 367.121(1) FS. History—New 9-12-74, Formerly 25-10.30, 25-10.030, Amended 11-10-86, _____.

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25-30.355 Complaints.

~~(1) A utility shall make a full and prompt acknowledgement and investigation of all customer complaints and shall respond fully and promptly to all customer requests.~~

~~(2) For the purpose of this rule Tthe word "complaint" as used in this rule means shall mean an objection made to the utility by a the customer by telephone call, e-mail, letter, or the utility's website form as to the utility's charges, facilities, or service, that where the disposal of the complaint requires action by on the part of the utility.~~

(2) Within 15 working days of a utility's receipt of a complaint, the utility shall investigate the complaint and give the customer a verbal or written response.

~~(3) Replies to inquiries by the Commission's staff shall be furnished within fifteen (15) days from the date of the inquiry and shall be in writing, if requested. Each utility shall have a procedure for receiving and promptly responding to emergency calls 24 hours a day. Reports of water or wastewater main breaks or conditions caused by utility-owned facilities where property damage or personal injury is reasonably foreseeable shall be considered an emergency.~~

Rulemaking Authority 350.127(2), 367.121(1) FS. Law Implemented 367.111, 367.121(1) FS. History—New 9-12-74, Formerly 25-10.70, 25-10.070, Amended 11-10-86, _____.