

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: October 22, 2020

TO: Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

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

RE: 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., concerning notice, public information, and minimum filing requirements for electric, gas, water, and wastewater applications for rate increase.

Please place the attached Statement of Estimated Regulatory Costs data request to the investor owned natural gas utilities in the docket file.

Thank you.

Sevini Guffey

From: Sevini Guffey
Sent: Tuesday, October 20, 2020 12:47 PM
To: Kandi Floyd (kfloyd@tecoenergy.com); Wright, Christopher; Andy Shoaf (andy@stjoegas.com); Beth Keating (BKeating@gunster.com); Mike Cassel (mcassel@fpuc.com); Jerry Melendy (jmelendy@floridasbestgas.com)
Cc: Tripp Coston
Subject: Docket No. 20200193-PU -- SERC Data Request
Attachments: 25-7.039 draft .docx; 25-22.0406 draft .docx

Dear All:

By this email, the Commission staff is requesting your utility company's input on potential cost impacts that might result from proposed revisions to Rule 25-7.039, Florida Administrative Code (F.A.C.), Natural Gas Utility Petition for Rate Increase; Commission Designee; and Rule 25-22.0406, F.A.C., Notice and Public Information on General Rate Increase Requests and Petitions for Limited Proceedings by Electric and Gas Utilities. Most recent draft rules are attached.

Pursuant to Section 120.54(3)(b)1, Florida Statutes, agencies are encouraged to prepare a statement of estimated regulatory costs (SERC) before the adoption, amendment, or repeal of any rule. In order to prepare the SERC, staff includes the questions which pertain to the proposed rule changes, as attached.

Please provide your responses to the following two questions:

- 1) What are the estimated incremental cost impacts to implement, and comply with, the proposed modifications to Rule 25-7.039, F.A.C. Please explain.
- 2) What are the estimated incremental cost impacts to implement, and comply with, the proposed modifications to Rule 25-22.0406, F.A.C. Please explain.

In order for staff to prepare the SERC for the December 2020 Commission Conference Agenda, staff is requesting that all responses be filed electronically no later than October 27, 2020, via the Commission's website at www.floridapsc.com by selecting the Clerk's Office tab and Electronic filing Web Form. Please contact me if you have any concerns regarding this data request.

Thank you.
Sevini

Sevini K. Guffey
Public Utility Analyst III
Division of Economics
Florida Public Service Commission
Email: sguffey@psc.state.fl.us
Phone: 850.413.6204

1 **25-7.039 Natural Gas Utility Petition for Rate Increase ~~Minimum Filing~~**

2 **Requirements; Commission Designee.**

3 (1) General Filing Instructions.

4 (a) The petition under Sections 366.06 and 366.071, F.S., for an adjustment of rates must
5 include or be accompanied by:

6 1. The information required by Commission Form PSC 1027 (XX/XX) PSC/AFD-10-G
7 (11/89), entitled “Investor Owned Natural Gas Utilities Minimum Filing Requirements,”
8 which is incorporated into this rule by reference, and is available at
9 http://www.flrules.org/Gateway/reference.asp?No=Ref-_____. ~~The form may be obtained~~
10 ~~from the Commission’s Division of Accounting and Finance.~~ This form is also available on
11 the Commission’s website, www.floridapsc.com.

12 2. The exact name of the applicant and the address of the applicant’s principal place of
13 business.

14 3. ~~Prepared Copies of prepared~~ direct testimony and exhibits for each witness testifying on
15 behalf of the utility company. Each witness’s prefiled testimony and exhibits shall be on
16 numbered pages and all exhibits shall be attached to the witness’s testimony.

17 (b) In compiling the required schedules, a utility must ~~company shall~~ follow the policies,
18 procedures and guidelines prescribed by the Commission in relevant rules and in the utility’s
19 ~~company’s~~ last rate case or in a more recent rate case involving a comparable utility. ~~These~~
20 ~~schedules shall be identified appropriately (e.g. Schedule B-1 would be designated Company~~
21 ~~Schedule B-1 — Company basis).~~

22 (c) Each schedule must ~~shall~~ be cross-referenced to identify related schedules as either
23 supporting schedules and/or recap schedules. If a schedule requires certain information, a
24 utility may on that schedule reference a different schedule that provides that same information.

25 (d) The dimensions of each page, regardless of format, must be 8 ½ by 11 inches, and each

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1 page must be numbered. Each page of the filing shall be numbered on 8 1/2" x 11" inch paper.

2 ~~Each witness' prefiled testimony and exhibits shall be on numbered pages and all exhibits~~
3 ~~shall be attached to the proponent's testimony.~~

4 (e) Except for handwritten official utility company records, all data in the petition,
5 testimony, exhibits and minimum filing requirements must shall be typed.

6 (f) Each schedule must shall indicate the name of the witness responsible for its
7 presentation.

8 (g) All schedules involving investment data must shall be completed on an average
9 investment basis. Unless a specific schedule requests otherwise, average is defined as the
10 average of thirteen (13) monthly balances.

11 (h) ~~The Twenty (20) copies of the filing, consisting of the petition and its supporting~~
12 ~~attachments, testimony, and exhibits, must be e-filed by the utility shall be filed with the~~
13 ~~Office of Commission Clerk. Ten paper copies of the filing, clearly labeled "COPY," and~~
14 ~~Commission Form PSC 1027 (XX/XX) in Microsoft Excel format with formulas intact and~~
15 ~~unlocked, must be provided to the Office of Commission Clerk within seven calendar days of~~
16 ~~the electronic filing. Excel files may be provided in media such as a USB flash drive, CD, or~~
17 ~~DVD, but may not be submitted by e-mail.~~

18 (i) Any proposed ~~Whenever the company proposes any corrections, updates or other~~
19 ~~changes to the original filing must by e-filed by the utility originally filed data, twenty (20)~~
20 ~~copies shall be filed with the Office of Commission Clerk,; Ten paper copies of the proposed~~
21 ~~corrections, updates or other changes, clearly labeled "COPY," and any schedules in~~
22 ~~Commission Form PSC 1027(XX/XX) that have been changed must be provided to the Office~~
23 ~~of Commission Clerk within seven calendar days of the electronic filing. Any schedules in~~
24 ~~Commission Form PSC 1026 (XX/XX) that have been changed must be provided in Microsoft~~
25 ~~Excel format with formulas intact and unlocked. Excel files may be provided in media such as~~

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1 a USB flash drive, CD, or DVD, but may not be submitted by e-mail. On the same day as the
2 e-filing, the utility must serve an electronic copy of the filing on each party, with copies also
3 served on all parties at the same time.

4 (2) The Director of the division that has been assigned the primary responsibility for the
5 filing is Commission Designee. The Deputy Executive Director, Technical shall be the
6 designee of the Commission designee for purposes of determining whether the utility has met
7 the minimum filing requirements imposed by this rule.

8 (3) ~~Waiver of MFR Requirements. The Commission may grant a waiver with respect to~~
9 ~~specific data required by this rule upon a showing that production of the data would be~~
10 ~~impractical or impose an excessive economic burden upon the company.~~

11 *Rulemaking Authority 350.127(2), 366.05(1), 366.06 (3) FS. Law Implemented 366.06(3),*
12 *366.071 FS. History—New 5-27-81, Formerly 25-7.39, Amended 11-21-89, _____.*

1 **25-22.0406 Notice and Public Information on General Rate Increase Requests and**
2 **Petitions for Limited Proceedings by Electric and Gas Utilities.**

3 (1) The provisions of this rule apply ~~shall be applicable~~ to all requests for general rate
4 increases and to all limited proceedings filed by electric and gas utilities pursuant to Rules 25-
5 6.0431 and 25-7.0391, F.A.C.

6 (2) The following noticing procedures ~~shall~~ apply to requests for a general rate increase:

7 (a) The utility must establish a clearly identifiable link on the utility's website to provide
8 electronic access to the utility's petition and Minimum Filing Requirements (MFRs). The
9 utility must provide this link ~~shall mail a copy of the petition~~ to the chief executive officer of
10 the governing body of each municipality and county within the service area affected.

11 (b) The utility must ~~shall~~ establish a clearly identifiable link on the utility's website to
12 provide the address on the Commission's website that provides electronic access to all
13 documents filed in the rate case.

14 ~~(c) Location of Minimum Filing Requirements.~~

15 ~~1. Within 15 days after it has been notified by the Commission that the Minimum Filing~~
16 ~~Requirements (MFRs) have been met, the utility shall place a copy of the MFRs at its official~~
17 ~~headquarters and at a location approved by the Commission staff in each municipality in~~
18 ~~which service hearings were held in the last general rate case of the utility.~~

19 ~~2. Within 15 days after the time schedule has been posted on the Commission's website,~~
20 ~~copies of the MFRs shall be placed in a location approved by Commission staff in each~~
21 ~~additional city in which service hearings are to be held in the current rate case.~~

22 ~~3. In addition to the locations listed above, if the Commission staff determines that the~~
23 ~~locations listed above will not provide adequate access, the Commission staff will require that~~
24 ~~copies of the MFRs be placed at other specified locations.~~

25 ~~4. Copies of the MFRs shall be available for public inspection during the regular business~~

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1 ~~hours of the location hosting the MFRs and through a link on the utility's website.~~

2 ~~(c)(d)~~-Rate Case Synopsis.

3 1. Within 15 days after the time schedule for the case has been posted to the Commission's
4 website, the utility must ~~shall~~ prepare and submit to the Commission staff for approval a
5 synopsis of the rate request. The synopsis must ~~shall~~ include:

6 a. A summary of the section of the MFRs showing a comparison of the present and
7 proposed rates for major services;

8 b. A statement of the anticipated major issues involved in the rate case;

9 c. A copy of the executive summary filed with the MFRs;

10 d. A description of the ratemaking process and the time schedule established for the rate
11 case; and

12 e. The website addresses ~~locations~~ at which complete MFRs are available.

13 2. Within 7 days following approval of the synopsis, the utility must establish a clearly
14 identifiable link on its website to provide electronic access to the synopsis and must provide
15 this link ~~copies of the synopsis shall be distributed to the same locations as required for the~~
16 ~~MFRs, to the main county library within or most convenient to the service area, and to the~~
17 chief executive officer of each county and municipality within the service area affected.

18 ~~(d)(e)~~ Within 15 days after the rate case time schedule has been posted on the
19 Commission's website, the utility must ~~shall~~ prepare and submit a customer notice to
20 Commission staff for approval. The customer notice must ~~shall~~ include:

21 1. A statement that the utility has applied for a rate increase and the general reasons for the
22 request;

23 2. The locations at which copies of the MFRs and synopsis are available, including the link
24 on the utility's website;

25 3. The time schedule established for the case, and the dates, times and locations of any

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1 | hearings that have been scheduled;

2 | 4. A comparison of current rates and service charges and the proposed new rates and
3 | service charges;

4 | 5. The docket number assigned to the petition by the Commission's Office of Commission
5 | Clerk;

6 | 6. A statement that written comments regarding the proposed changes in rates and charges
7 | should be addressed to the Office of Commission Clerk, 2540 Shumard Oak Boulevard,
8 | Tallahassee, Florida 32399-0850, and that such correspondence should include the docket
9 | number; and

10 | 7. A statement that comments regarding service may be made to the Commission's Office
11 | of Consumer Assistance and Outreach at this toll free number: 1(800) 342-3552.

12 | ~~(e)~~(f) The utility must ~~shall~~ begin sending the notice to customers within 30 days after it
13 | has been approved by Commission Staff.

14 | (3) The following noticing procedures ~~shall~~ apply to a petition for a limited proceeding
15 | filed pursuant to Rules 25-6.0431 and 25-7.0391, F.A.C.:

16 | (a) The utility must ~~shall~~ establish a clearly identifiable link on the utility's website to the
17 | address on the Commission's website that provides electronic access to all documents filed in
18 | the limited proceeding.

19 | (b) Within 15 days after the time schedule for the limited proceeding has been posted to
20 | the Commission's website, the utility must ~~shall~~ prepare and submit a customer notice to the
21 | Commission staff for approval. The customer notice must ~~shall~~ contain:

22 | 1. A statement that the utility has requested a change in rates, a statement of the amount
23 | requested, and the general reason for the request;

24 | 2. A statement of where and when the petition and supporting documentation are available
25 | for public inspection, including the link on the utility's website;

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- 1 3. A comparison of the current and proposed rates;
- 2 4. The utility's address, telephone number, and website address;
- 3 5. The docket number assigned to the petition by the Commission's Office of Commission
- 4 Clerk;
- 5 6. A statement that written comments regarding the proposed changes in rates and charges
- 6 should be addressed to the Office of Commission Clerk, 2540 Shumard Oak Boulevard,
- 7 Tallahassee, Florida 32399-0850, and that such correspondence should include the docket
- 8 number; and
- 9 7. A statement that comments regarding service may be made to the Commission's Office
- 10 of Consumer Assistance and Outreach at this toll free number: 1(800) 342-3552.

11 (c) The utility must ~~shall~~ begin sending the notice to customers within 30 days after it has
12 been approved by staff.

13 (4) All customer notices prepared pursuant to this rule must ~~shall~~ be sent to the customer's
14 address of record at the time the notice is issued, in the manner in which the customer
15 typically receives the monthly bill, whether electronically or via U.S. mail.

16 (5) All customer notices regarding the locations and time of any service hearings or
17 customer meetings must ~~shall~~ be sent to the customer no less than 10 days, or more than 45
18 days, prior to the first service hearing or customer meeting.

19 (6) At least 7 days and not more than 20 days prior to any service hearing or customer
20 meeting, the utility must ~~shall~~ have published in a newspaper of general circulation in the area
21 in which the hearing or customer meeting is to be held a display advertisement stating the
22 date, time, location and purpose of the hearing or customer meeting. The advertisement must
23 ~~shall~~ be approved by the Commission staff prior to publication.

24 (7) When the Commission issues proposed agency action and a hearing is subsequently
25 held, the utility must ~~shall~~ give written notice of the hearing to its customers at least 14 days in

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1 advance of the hearing. This notice must ~~shall~~ be approved by the Commission staff prior to
2 distribution.

3 (8) After the Commission's issuance of an order granting or denying a rate change, the
4 utility must ~~shall~~ give notice to its customers of the order and the revised rates. The notice
5 must ~~shall~~ be approved in advance by the Commission or its staff and transmitted to the
6 customers with the first bill containing the new rates.

7 *Rulemaking Authority 350.127(2), 366.05, 366.06(1) FS. Law Implemented 366.03,*
8 *366.041(1), 366.05(1), 366.06(1), 366.076(1) FS. History—New 9-27-83, Formerly 25-22.406,*
9 *Amended 5-27-93, 5-3-99, 10-8-13, _____.*

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