

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: December 20, 2021

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

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

RE: Docket No. 20200119-WS – Proposed amendment of Rule 25-30.335, Customer Billing

Please file the attached document in the docket file listed above.

Thank you.

Attachments

RECEIVED-FPSC
2021 DEC 20 PM 4:16
COMMISSION
CLERK

Kathryn Cowdery

From: Mike Smallridge <mike@fus1llc.com>
Sent: Monday, December 14, 2020 10:26 AM
To: Kathryn Cowdery; 'Martin S. Friedman'
Cc: 'Troy Rendell'
Subject: RE: Proposed Changes to Rule 25-30.335 Customer Billing

Kathryn, I agree to remove #6. Mike Smallridge

From: Kathryn Cowdery [mailto:kcowdery@PSC.STATE.FL.US]
Sent: Friday, December 11, 2020 11:01 AM
To: 'Martin S. Friedman'
Cc: Michael Smallridge; 'Troy Rendell'
Subject: RE: Proposed Changes to Rule 25-30.335 Customer Billing

Thank you for your comments

From: Martin S. Friedman [mailto:MFriedman@deanmead.com]
Sent: Friday, December 11, 2020 10:59 AM
To: Kathryn Cowdery
Cc: Michael Smallridge; 'Troy Rendell'
Subject: Proposed Changes to Rule 25-30.335 Customer Billing

Kathryn,

Thank you for making the change Troy and I requested in (5) to be consistent with past Commission policy. I do have a concern with the requirement in (6) to give an annual notice as it relates to small utilities (which is the large majority of water & wastewater utilities). I think this is an unnecessary burden since most of them do not have websites. The customer base of many of these small utilities do not have snowbird population to which this Rule is directed. Maybe a one-time notification when the Rule amendment goes into effect would be sufficient. There are many Tariff rules that are applicable and of interest to customers and there is rightfully no annual noticing requirement. Thus, I would request that (6) be deleted.

Thanks, Marty



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Kathryn Cowdery

From: Kathryn Cowdery
Sent: Monday, November 30, 2020 1:23 PM
To: J. R. Kelly (kelly.jr@leg.state.fl.us); David, Tad (DAVID.TAD@leg.state.fl.us);
mfriedman@deanmead.com; 'Troy Rendell'; mike@fus1llc.com
Subject: PSC Docket No. 20200119-WS - Proposed amendment of Rule 25-30.335, Customer
Billing
Attachments: Rule 25-30.335.docx

Good afternoon:

Based on comments that some of you submitted to us in October on this draft rule, staff has made certain revisions to subsections (5) and (6). A copy of this revised draft is attached for your review. If you would like to submit comments on this revised draft, please provide them to me by next Monday December 14.

Also, please note that suggestions made to address utility concerns about landlord/tenant situations and inactive accounts are outside the scope of this rulemaking, which is past the workshop phase of rulemaking and was deferred by the Commission from the July Agenda in order for staff to look into several specific questions from Commissioners.

Thank you for your participation in this rulemaking. Please let me know if you have any questions.

Kathryn Cowdery

1 **25-30.335 Customer Billing.**

2 (1) Except as provided in this rule, a utility must ~~shall~~ render bills to customers at regular
3 intervals, and each bill must ~~shall~~ indicate: the billing period covered; ~~the applicable rate~~
4 ~~schedule~~; beginning and ending meter reading; the amount of the bill; the delinquent date or
5 the date after which the bill becomes past due; and any authorized late payment charge.

6 (2) When a utility is unable to obtain an actual meter read, estimated bills may be
7 provided.

8 (a) If the utility estimates a bill, ~~the bill statement shall prominently show~~ the word
9 “Estimated” must be prominently displayed on the face of the bill.

10 (b) The utility is obligated to timely correct any problems within the utility’s control
11 causing the need to estimate bills. In no event may ~~shall~~ a utility provide an estimated bill to
12 any one customer account more than four times in any 12-month period due to circumstances
13 that are within the utility’s control and service obligations.

14 (c) Upon issuance of a second estimated bill in a 6-month period, the utility must ~~shall~~
15 provide the customer with an explicit written explanation for the estimation, along with the
16 utility contact information and the Commission toll-free complaint number, 1(800) 342-3552.

17 (d) The utility must ~~shall~~ maintain records, for a minimum of two years, detailing the
18 number, frequency, and causes of estimated bills, and those records must ~~which shall~~ be made
19 available upon request to the Commission or to any party to a rate proceeding for the utility.

20 (3) When service is rendered for less than 50 percent of the normal billing cycle, the utility
21 must ~~shall~~ prorate the base facility charges, flat rates, or rates that include minimum usage as
22 though the normal billing cycle were 30 days, ~~except that~~ Tthe utility may elect ~~not to~~ not
23 issue an initial bill ~~for service~~ if the service is rendered for ~~during~~ a time period ~~which is~~ less
24 than 50 percent of the normal billing cycle. Instead, the utility may elect to issue a single bill
25 combining ~~combine~~ the amount owed for the service rendered during the initial time period

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions
from existing law.

1 with the amount owed for the next billing cycle, and issue a single bill for the combined time
2 period. For service taken under flat rate schedules, 50 percent of the normal charges may be
3 applied.

4 (4) If a customer requests a temporary discontinuance of service or is out of residence:

5 (a) Utilities that have the base facility charge rate structure must continue to bill the base
6 facility charge.

7 (b) Utilities that have a flat rate or a rate that includes minimum usage must bill the
8 customer 40 percent of the flat or minimum rate contained on the applicable tariff.

9 (5) If a customer requests a permanent termination of service and the same customer
10 subsequently requests service at the same location within 12 months of that termination, the
11 utility must bill the customer the base facility charges or 40 percent of the flat rate or rates that
12 include minimum usage for the service termination period. The customer is responsible for
13 payment of all outstanding rates and charges for the termination period in order for service to
14 be restored.

15 (6) Each utility must give annual notification to its customers of the requirements of
16 subsections (4) and (5) of this rule. The notification must include a copy of the rule language
17 of subsections (4) and (5). The annual notification requirement may be met by posting the
18 information on the utility's website.

19 ~~(7)~~(4) A utility may not consider a customer delinquent in paying his or her bill until the
20 21st day after the utility has mailed or presented the bill for payment.

21 ~~(8)~~(5) ~~A~~ Each utility must ~~shall~~ establish each point of delivery as an independent
22 customer account and must ~~shall~~ calculate the amount of the bill accordingly, except where
23 physical conditions make it necessary to use additional meters or points of delivery for one
24 class of service to a single customer on the same premises, or where such multiple meters or
25 delivery points are used for the convenience of the utility.

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from existing law.

1 ~~(9)~~(6) A utility may not incorporate municipal or county franchise fees into the amount
2 indicated as the cost for service on the customer's bill. Rather, the utility must ~~shall~~ show any
3 such franchise fee as a separate item.

4 (10)(7) The utility must ~~shall~~ maintain a record of each customer's account for the most
5 current 2 years so as to permit reproduction of the customer's bills during the time that the
6 utility provided service to that customer.

7 ~~(8) If a utility utilizes the base facility and usage charge rate structure and does not have a~~
8 ~~Commission authorized vacation rate, the utility shall bill the customer the base facility charge~~
9 ~~regardless of whether there is any usage.~~

10 *Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented ~~367.091~~, 367.121 FS.*
11 *History—New 9-14-74, Amended 6-21-79, Formerly 25-10.97, 25-10.097, Amended 11-10-86,*
12 *11-30-93, 6-17-13, _____.*

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