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Public Service Commission

June 13, 2025

Ms. Alexandra Leijon
Administrative Code and Register Director
Office of General Counsel
Florida Department of State
Room 701, The Capitol
Tallahassee, FL 32399-0250

VIA EMAIL
AdministrativeCode@dos.fl.gov

Re: Technical Changes to Rule 25-7.003 Definitions, Rule 25-7.020 Record of Complaints, Rule 25-7.0851 Underbillings and Overbillings, and Rule 25-7.0852 Unauthorized Use

Dear Ms. Leijon:

Please make the following technical changes to Rules 25-7.003, 25-7.020, 25-7.0851, 25-7.0852, and 25-7.100, F.A.C., all of which are reflected in the attached versions of the rules:

Rule 25-7.003(2), F.A.C., line 3: "...as set out for 'public utility' in Section 366.02(8) ~~366(2)~~, F.S...."

This technical change corrects the statutory citation.

Rule 25-7.020, F.A.C., last line: "...such disposition. See ~~Cf.~~ subsection ..."

This technical change clarifies that the rule is not asking the reader to compare or contrast, but rather to reference the listed statute for the definition of complaint.

Rule 25-7.0851, F.A.C., *Rulemaking Authority*: 350.127, 366.05 ~~367.121~~

This technical change is to correct citation to the rulemaking authority. Section 367.121, F.S. is a water/wastewater statute, but Rule 25-7.0851 pertain to gas utilities. Sections 350.127 and 366.05, F.S., authorizes the Commission to adopt necessary rules to implement its duties as conferred by law.

Rule 25-7.0851, F.A.C., *Law Implemented*: 350.127, 366.05 ~~367.121~~ 368.105

This technical change is to correct citation to the law implemented. Section 367.121, F.S. is a water/wastewater statute, but Rule 25-7.0851 pertain to gas utilities. Sections 350.127 and 366.05, F.S., authorizes the Commission to adopt necessary rules to implement its duties as conferred by law.

Ms. Alex Leijon

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June 13, 2025

Rule 25-7.0852, F.A.C.: *Rulemaking Authority:* 350.127, 366.05 ~~367.121~~

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Rule 25-7.0852, F.A.C., *Law Implemented:* 350.127, 366.05 ~~367.121~~ 368.105

This technical change is to correct citation to the law implemented. Section 367.121, F.S. is a water/wastewater statute, but Rule 25-7.0852 pertains to gas utilities. Sections 350.127 and 366.05, F.S., authorizes the Commission to adopt necessary rules to implement its duties as conferred by law.

The need for these technical changes was discovered during our review of our regulatory plan. Please let me know if you have any questions. You may reach me at (850) 413-6630 or at Susan.Sapoznikoff@psc.state.fl.us.

Sincerely,

/s/ Susan Sapoznikoff

Susan Sapoznikoff
Senior Attorney

Enclosures

cc: Office of Commission Clerk

25-7.003 Definitions.

For the purpose of these rules, the following definitions apply:

(1) "Commission." Unless a different intent clearly appears from the context, the word "commission" when used in these rules shall be taken to mean the Florida Public Service Commission.

(2) "Utility." Except where a different meaning clearly appears from the context, the word or words "utility" or "gas utility" as used in these rules shall have the same meaning as set out for "public utility" in Section 366.02(8) ~~366(2)~~, F.S., and shall include all such utilities subject to Commission jurisdiction.

(3) "Customer." Any person, firm, partnership, company, corporation, municipality, cooperative, organization, governmental agency, or similar organization supplied with gas service by any such gas utility.

(4) "Gas." Gas is any gas or mixture of gases suitable for domestic or industrial fuel and transmitted or distributed to the user through a piping system. However, this does not include liquefied petroleum gases in the vapor or liquid state when furnished by a utility not subject to Commission jurisdiction under the provisions of Section 366.02, F.S. The common types are natural gas, manufactured gas, and liquefied petroleum gas distributed as a vapor with the admixture of air.

(5) "Manufactured Gas." The term "manufactured gas" as used in these rules shall be construed to mean any gas artificially produced by any generating or processing equipment, exclusive of "hydrocarbon gas."

(6) "Natural Gas." The term "natural gas" as used in these rules shall be construed to mean any gases taken into the transmission or distribution systems in their natural state as they come from the well or from oil separating or gasoline extraction apparatus.

(7) "Mixed Gas." The term "mixed gas" as used in these rules shall be construed to mean any mixture of two or more gases of materially different physical character or chemical composition mixed inside or outside of any generating or processing equipment or any well, separating, or extracting plant, except undiluted liquefied petroleum gases when furnished by a utility not subject to Commission jurisdiction under the provisions of Section 366.02, F.S.

(8) "Main." Gas main or distribution main is a pipe installed in a community to convey gas to individual services or other mains.

(9) "Service Line." Service line is the distribution line that transports gas from a common source of supply to (1) a customer meter or the connection to a customer's piping, whichever is farther downstream, or (2) the connection to a customer's piping if there is no customer meter.

(10) "Service Regulator." Service regulator is a regulator installed on a gas service to control the pressure of the gas delivered to the customer.

(11) "Standard Service Pressure." Standard service pressure is the gas pressure which a utility undertakes to maintain on its domestic customer meters, sometimes called the normal utilization pressure.

(12) "Customer Meter." Customer meter is a meter which measures gas delivered to a customer for consumption on his premises.

(13) "Cubic Foot." The term "cubic foot" of gas as used in these rules shall have the following meanings:

(a) In cases where gas is supplied and metered to customers at the standard delivery pressure, a cubic foot of gas shall be defined to be the volume of gas which, at the temperature and pressure existing in the meter, occupies one cubic foot.

25-7.003 Definitions.

For the purpose of these rules, the following definitions apply:

(1) "Commission." Unless a different intent clearly appears from the context, the word "commission" when used in these rules shall be taken to mean the Florida Public Service Commission.

(2) "Utility." Except where a different meaning clearly appears from the context, the word or words "utility" or "gas utility" as used in these rules shall have the same meaning as set out for "public utility" in Section 366.02(8) ~~366(2)~~, F.S., and shall include all such utilities subject to Commission jurisdiction.

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(4) "Gas." Gas is any gas or mixture of gases suitable for domestic or industrial fuel and transmitted or distributed to the user through a piping system. However, this does not include liquefied petroleum gases in the vapor or liquid state when furnished by a utility not subject to Commission jurisdiction under the provisions of Section 366.02, F.S. The common types are natural gas, manufactured gas, and liquefied petroleum gas distributed as a vapor with the admixture of air.

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(7) "Mixed Gas." The term "mixed gas" as used in these rules shall be construed to mean any mixture of two or more gases of materially different physical character or chemical composition mixed inside or outside of any generating or processing equipment or any well, separating, or extracting plant, except undiluted liquefied petroleum gases when furnished by a utility not subject to Commission jurisdiction under the provisions of Section 366.02, F.S.

(8) "Main." Gas main or distribution main is a pipe installed in a community to convey gas to individual services or other mains.

(9) "Service Line." Service line is the distribution line that transports gas from a common source of supply to (1) a customer meter or the connection to a customer's piping, whichever is farther downstream, or (2) the connection to a customer's piping if there is no customer meter.

(10) "Service Regulator." Service regulator is a regulator installed on a gas service to control the pressure of the gas delivered to the customer.

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(12) "Customer Meter." Customer meter is a meter which measures gas delivered to a customer for consumption on his premises.

(13) "Cubic Foot." The term "cubic foot" of gas as used in these rules shall have the following meanings:

(a) In cases where gas is supplied and metered to customers at the standard delivery pressure, a cubic foot of gas shall be defined to be the volume of gas which, at the temperature and pressure existing in the meter, occupies one cubic foot.

(b) When gas is supplied to customers at other than the standard service pressure, the utility shall define in its rules and/or gas sales contracts bases for measurement of a cubic foot of gas. Unless otherwise stated, such cubic foot of gas shall be that quantity of gas which, at a temperature of 60° F, and at absolute pressure of 14.73 pounds per square inch (30 inches of mercury) occupies one cubic foot.

(c) The standard cubic foot of gas for testing the gas itself for heating value shall be that volume of gas which, when saturated with water vapor and at a temperature of 60° F, and under a pressure equivalent to that of 30 inches of mercury (mercury at 32° F and under standard gravity) occupies one cubic foot.

(14) "British Thermal Unit." The term "British thermal unit" (BTU) shall mean the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit.

(15) "Therm." The word "therm" is used to denote a unit of heating value equivalent to one hundred thousand (100,000) British thermal units.

Other technical terms and expressions used in these rules and not herein defined are to be given the meaning usually accepted in the industry.

Rulemaking Authority 366.05(1) FS. Law Implemented 366.02, 366.05(1) FS. History—New 10-20-73, Repromulgated 1-8-75, 5-4-75, Formerly 25-7.03.

25-7.020 Record of Complaints.

Each utility shall keep a record of all complaints received, which record shall show the name and address of the complainant, the date and time of day received, the nature of the complaint, the result of any investigation, the disposition of the complaint and the date of such disposition. See ~~Cf.~~ subsection 25-7.080(1), F.A.C., for definition of "complaint" for purpose of this rule.

Rulemaking Authority 366.05 FS. Law Implemented 366.05(1) FS. History—New 1-8-75, Repromulgated 5-4-75, Formerly 25-7.20.

25-7.0851 Underbillings and Overbillings.

(1) A utility may not backbill customers for any period greater than 12 months for any undercharge in billing which is the result of the utility's mistake. The utility shall allow the customer to pay for the unbilled service over the same time period as the time period during which the underbilling occurred or some other mutually agreeable time period. The utility shall not recover in a ratemaking proceeding any lost revenues which inure to the utility's detriment on account of this provision.

(2) In the event of overbillings, the utility shall refund the overcharge to the customer for the period during which the overcharge occurred, based on available records. If commencement of the overcharging cannot be fixed, then an estimate of the overcharge shall be made, based on past consumption, and refunded to the customer. The amount and period of the adjustment shall be based on the available records. The refund shall not include any part of a minimum charge.

(3) In the event of an overbilling, the customer may elect to receive the refund as a credit to future billings or as a one-time credit.

Rulemaking Authority 350.127, 366.05 ~~367.121~~ 368.104 FS. Law Implemented 350.127, 366.05 ~~367.121~~ 368.105 FS. History—New 5-8-91, Amended 2-4-13.

25-7.0852 Unauthorized Use.

In the event of unauthorized or fraudulent use or meter tampering, the utility shall bill the customer on an estimate of the gas used, based on the customer's past consumption.

Rulemaking Authority 350.127, 366.05 ~~367.121~~ 368.014 FS. Law Implemented 350.127, 366.05 ~~367.121~~ 368.105 FS. History—New 2-4-13.

Janet Cayson

Subject: FW: Technical Changes to 25-7 rules

From: Administrative Code <AdministrativeCode@dos.fl.gov>

Sent: Friday, June 13, 2025 4:50 PM

To: Susan Sapoznikoff <SSapozni@psc.state.fl.us>; Administrative Code <AdministrativeCode@dos.fl.gov>

Subject: RE: Technical Changes to 25-7 rules

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

This request has been completed.

Best,

Alexandra Leijon

Administrative Code and Register Director

Office of General Counsel

Department of State

Room 701I The Capitol | Tallahassee, FL

P: (850)245-6208

Alexandra.Leijon@dos.fl.gov

From: Susan Sapoznikoff <SSapozni@psc.state.fl.us>

Sent: Friday, June 13, 2025 4:25 PM

To: Administrative Code <AdministrativeCode@dos.fl.gov>

Subject: Technical Changes to 25-7 rules

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good afternoon, Ms. Leijon:

I have attached the Commission's technical changes to rules in 25-7, F.A.C.

I have attached the texts of the rules in Word format due to the number of rules involved.

Please contact me with any questions or concerns.

With best regards,

Suzie