

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL ELECTRIC UTILITIES

ALL GAS UTILITIES

ALL WATER AND WASTEWATER UTILITIES

OFFICE OF PUBLIC COUNSEL

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO: 20260036-OT

IN RE: PROPOSED AMENDMENT OF RULES 25-6.109, F.A.C., REFUNDS; 25-6.0435, F.A.C., INTERIM RATE RELIEF; 25-7.040, F.A.C., INTERIM RATE RELIEF; 25-7.091, F.A.C., REFUNDS; 25-30.117, F.A.C., ACCOUNTING FOR PENSION COSTS; AND 25-30.360, F.A.C., REFUNDS

ISSUED: March 24, 2026

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to amend the following rules:

Rule 25-6.0435, F.A.C., Interim Rate Relief
Rule 25-6.109, F.A.C., Refunds
Rule 25-7.040, F.A.C., Interim Rate Relief
Rule 25-7.091, F.A.C., Refunds
Rule 25-30.117, F.A.C. Accounting for Pension Costs
Rule 25-30.360, F.A.C., Refunds

The purpose of this rulemaking is to update and clarify the rules following the statutory rule review mandated by Section 120.5435, Florida Statutes.

Copies of the preliminary draft rules are attached. If requested in writing and not deemed unnecessary by the agency head, a rule development workshop will be scheduled and noticed in

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the next available Florida Administrative Register. Written requests for a rule development workshop must be filed in the above-referenced docket by April 8, 2026. The contact person for this rulemaking is: Susan Sapoznikoff, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, 850-413-6630, susan.sapoznikoff@psc.state.fl.us.

By DIRECTION of the Florida Public Service Commission this 24th day of March, 2026.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

SS

1 **25-6.0435 Interim Rate Relief.**

2 (1) Each electric utility petitioning for interim rate relief pursuant to Section 366.071, F.S.,
3 ~~must shall~~ file the data required by paragraph 25-6.043(1)(a), F.A.C.

4 (2) The requested interim increase in base rate revenues ~~must shall~~ be divided by interim
5 test year base rate revenues to derive a percentage increase factor. The percentage increase
6 factor ~~must shall~~ be applied uniformly to all existing base rates and charges to derive the
7 interim base rates and charges.

8 (3) Interim rate relief collected is subject to refund pending final order in the permanent
9 rate relief request. Such increase ~~is shall~~ be subject to a corporate undertaking or under bond
10 as authorized by the Commission and any refund ~~must shall~~ be made with an interest factor
11 determined by using the AA non-financial 30-day commercial paper rate published by the
12 Board of Governors of the Federal Reserve System on its website ~~for high-grade, unsecured~~
13 ~~notes, sold through dealers by major corporations in multiples of \$1,000, as regularly~~
14 ~~published in the Wall Street Journal.~~ The annual rate as published on the first day of the
15 current business month would be added to the rate as published on the first day of the
16 subsequent business month and halved to obtain the simple average rate to be applied in that
17 month. This rate of interest ~~must would~~ be applied to the refund amount for that month. The
18 amount of interest calculated ~~must would~~ be added to the beginning balance of the following
19 month ~~so as~~ to accomplish the compounding of the interest feature of the refund provision.

20 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.04(2)(f), 366.06, 366.071 FS.*

21 *History—New 5-27-81, Formerly 25-6.435, Amended 2-12-04, _____.*

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1 **25-6.109 Refunds.**

2 (1) Applicability. With the exception of deposit refunds and refunds associated with
3 adjustment factors, all refunds ordered by the Commission must ~~shall~~ be made in accordance
4 with the provisions of this Rule, unless otherwise ordered by the Commission.

5 (2) Timing of Refunds. Refunds must be made within ninety (90) days of the
6 Commission's order unless a different time frame is prescribed by the Commission. Unless a
7 stay has been requested in writing and granted by the Commission, a motion for
8 reconsideration of an order requiring a refund will not delay the timing of the refund. In the
9 event that a stay is granted pending reconsideration, the timing of the refund must ~~shall~~
10 commence from the date of the order disposing of any motion for reconsideration. This rule
11 does not authorize any motion for reconsideration not otherwise authorized by Chapter 25-22,
12 F.A.C.

13 (3) Basis of Refund. When ~~Where~~ the refund is the result of a specific rate change,
14 including interim rate increases and the refund can be computed on a per customer basis, that
15 will be the basis of the refund. In such cases, refunds will ~~may~~ be made by either recalculating
16 the affected customer's bill or by applying an appropriate refund factor to the consumption
17 used by the customer during the refund period. However, when ~~where~~ the refund is not related
18 to specific rate changes, such as a refund for overearnings, the refund must ~~will~~ be made to
19 customers of record as of a date specified by the Commission. In such case, refunds must ~~shall~~
20 be made on the basis of consumption. Per customer refund refers to a refund to every customer
21 receiving service during the refund period. Customer of record refund refers to a refund to
22 every customer receiving service as of a date specified by the Commission.

23 (4) Interest.

24 (a) When ~~In the case of refunds~~ the Commission orders refunds to be made with interest,
25 the average monthly interest rate until the refund is posted to the customer's account must

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

1 ~~shall~~ be based on the AA non-financial ~~thirty-~~(30)-day non-financial commercial paper rate
2 published by the Board of Governors of the Federal Reserve System on its website for high
3 grade, unsecured notes sold through dealers by major corporations in multiples of \$1,000 as
4 regularly published in the Wall Street Journal.

5 (b) This average monthly interest rate must ~~shall~~ be calculated for each month of the
6 refund period:

7 1. By adding the published interest rate in effect for the last business day of the month
8 prior to each month of the refund period and the published rate in effect for the last business
9 day of each month of the refund period divided by twenty-four (24) to obtain the average
10 monthly interest rate;

11 2. The average monthly interest rate for the month prior to distribution must ~~shall~~ be the
12 same as the last calculated average monthly interest rate.

13 (c) The average monthly interest rate must ~~shall~~ be applied to the sum of the previous
14 month's ending balance (including monthly interest accruals) and the current month's ending
15 balance divided by two (2) to accomplish a compounding effect.

16 (d) Interest Multiplier. When the refund is computed for each customer, an interest
17 multiplier can ~~may~~ be applied against the amount of each customer's refund in lieu of a
18 monthly calculation of the interest for each customer. The interest multiplier must ~~shall~~ be
19 calculated by dividing the total amount refundable to all customers, including interest, by the
20 total amount of the refund, excluding interest. For the purpose of calculating the interest
21 multiplier, the utility may, upon approval by the Commission, estimate the monthly refundable
22 amount.

23 (e) Commission staff will ~~shall~~ provide applicable interest rate figures and assistance in
24 calculations under this Rule upon request of the affected utility.

25 (5) Method of Refund Distribution. For those customers still on the system, a credit must
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1 ~~shall~~ be made on the bill. In the event the refund is for a greater amount than the bill, the
2 remainder of the credit must ~~shall~~ be carried forward until the refund is completed. If the
3 customer so requests, a check for any negative balance must be sent to the customer within ten
4 (10) days of the request. For customers entitled to a refund but no longer on the system, the
5 company must ~~shall~~ mail a refund check to the last known billing address, except that no
6 refund for less than \$1.00 will be made to these customers.

7 (6) Security for Money Collected Subject to Refund. In the case of money being collected
8 subject to refund, the money must ~~shall~~ be secured by a bond unless the Commission
9 specifically authorizes some other type of security such as placing the money in escrow,
10 approving a corporate undertaking, or providing a letter of credit. The Commission must ~~may~~
11 require the company to provide a report by the 20th ~~10th~~ of each month indicating the monthly
12 and total amount of money subject to refund as of the end of the preceding month. The report
13 must ~~shall~~ also indicate the status of whatever security is being used to guarantee repayment of
14 the money.

15 (7) Refund Reports. During the processing of the refund, monthly reports on the status of
16 the refund must ~~shall~~ be made by the 20th ~~10th~~ of the following month. In addition, a
17 preliminary report must ~~shall~~ be made within thirty (30) days after the date the refund is
18 completed and again 90 days thereafter. A final report must ~~shall~~ be made after all
19 administrative aspects of the refund are completed. The above reports must ~~shall~~ specify the
20 following:

- 21 (a) The amount of money to be refunded and how that amount was computed;
- 22 (b) The amount of money actually refunded;
- 23 (c) The amount of any unclaimed refunds; and
- 24 (d) The status of any unclaimed amounts.

25 (8) With the last report under subsection (7) of this rule, the company must ~~shall~~ suggest a

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1 method for disposing of any unclaimed amounts. The Commission will ~~shall~~ then order a
2 method of disposing of the unclaimed funds.

3 *Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.03, 366.04(1), (2)(f),*
4 *366.06(3), 366.07, 366.071 FS. History—New 8-18-83. Amended _____.*

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1 **25-7.040 Interim Rate Relief.**

2 (1) Each natural gas utility petitioning for interim rate relief pursuant to Section 366.071,
3 F.S., ~~must shall~~ file the data required in paragraph 25-7.039(1)(a), F.A.C.

4 (2)(a) Interim rates ~~must shall~~ apply across the board based on base rate revenues for the
5 test period less base gas revenue by rate schedule. The resulting dollar amount ~~must shall~~ be
6 divided by base rate revenues per rate schedule to determine the percent increase applied to
7 each rate schedule.

8 (b) In determining the interim increase, the following data ~~must shall~~ be provided by rate
9 schedule: Therm sales; base rate revenue less base gas cost; base gas revenue; total base rate
10 revenue; purchased gas adjustment revenue; total revenue. The interim increase ~~must shall~~ be
11 shown by dollar amount and percentage by rate schedule calculated in the following manner:

- 12 I. Required Interim
13 Revenue Relief Across the board
14 Base rate revenue = percentage constant
15 less base gas cost
16 II. Percentage Constant × Base rate Revenue less base gas cost =
17 Dollar increase to rate schedule
18 III. Dollar Increase Percent increase
19 Total base rate applied to
20 Revenue rate schedule

21 (3) Interim rate relief collected is subject to refund pending final order in the permanent
22 rate relief request. Such increase ~~is shall~~ be subject to a corporate undertaking or under bond
23 as authorized by the Commission and any refund ~~must shall~~ be made with an interest factor
24 determined by using the AA non-financial 30-day non-financial commercial paper rate
25 published by the Board of Governors of the Federal Reserve System on its website ~~for~~

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1 ~~highgrade, unsecured notes, sold through dealers by major corporations in multiples of \$1,000,~~
2 ~~as regularly published in the Wall Street Journal.~~ The annual rate as published on the first day
3 of the current business month must ~~would~~ be added to the rate as published on the first day of
4 the subsequent business month and halved to obtain the simple average rate to be applied in
5 that month. This rate of interest must ~~would~~ be applied to the refund amount for that month.
6 The amount of interest calculated will be added to the beginning balance of the following
7 month ~~so as~~ to accomplish the compounding of the interest feature of the refund provision.
8 *Rulemaking Authority 366.05(1), 366.071 FS. Law Implemented 366.06(3), 366.071 FS.*
9 *History—New 5-27-81, Formerly 25-7.40. Amended_____.*
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1 **25-7.091 Refunds.**

2 (1) Applicability. With the exception of deposit refunds and refunds associated with
3 adjustment factors, all refunds ordered by the Commission must ~~shall~~ be made in accordance
4 with the provisions of this rule, unless otherwise ordered by the Commission.

5 (2) Timing of Refunds. Refunds must be made within ninety (90) days of the
6 Commission's order unless a different time frame is prescribed by the Commission. Unless a
7 stay has been requested in writing and granted by the Commission, a motion for
8 reconsideration of an order requiring a refund will not delay the timing of the refund. In the
9 event that a stay is granted pending reconsideration, the timing of the refund must ~~shall~~
10 commence from the date of the order disposing of any motion for reconsideration. This rule
11 does not authorize any motion for reconsideration not otherwise authorized by Chapter 25-22,
12 F.A.C.

13 (3) Basis of Refund. When ~~Where~~ the refund is the result of a specific rate change,
14 including interim rate cases and the refund can be computed on a per customer basis, that will
15 be the basis of the refund. However, when ~~where~~ the refund is not related to specific rate
16 changes, such as a refund for overearnings, the refund must ~~shall~~ be made to customers of
17 record as of a date specified by the Commission. In such case, refunds must ~~shall~~ be made on
18 the basis of consumption. Per customer refund refers to a refund to every customer receiving
19 service during the refund period. Customer of record refund refers to a refund to every
20 customer receiving service as of a date specified by the Commission.

21 (4) Interest.

22 (a) When ~~In the case of refunds which~~ the Commission orders refunds to be made with
23 interest, the average monthly interest rate until the refund is posted to the customer's account
24 must ~~shall~~ be based on the AA non-financial ~~thirty~~ (30) day commercial paper rate published
25 by the Board of Governors of the Federal Reserve System on its website for high-grade,

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1 ~~unsecured notes sold through dealers by major corporations in multiples of \$1,000 as regularly~~
2 ~~published in the Wall Street Journal.~~

3 (b) This average monthly interest rate must ~~shall~~ be calculated for each month of the
4 refund period:

5 1. By adding the published interest rate in effect for the last business day of the month
6 prior to each month the refund period and the published rate in effect for the last business day
7 of each month of the refund period divided by twenty-four (24) to obtain the average monthly
8 interest rate;

9 2. The average monthly interest rate for the month prior to distribution will ~~shall~~ be the
10 same as the last calculated average monthly interest rate.

11 (c) The average monthly interest rate must be applied to the sum of the previous month's
12 ending balance (including monthly interest accruals) and the current month's ending balance
13 divided by two (2) to accomplish a compounding effect.

14 (d) Interest Multiplier. When the refund is computed for each customer, an interest
15 multiplier may ~~can~~ be applied against the amount of each customer's refund in lieu of a
16 monthly calculation of the interest for each customer. The interest multiplier must ~~shall~~ be
17 calculated by dividing the total amount refundable to all customers, including interest, by the
18 total amount of the refund, excluding interest. For the purpose of calculating the interest
19 multiplier, the utility may, upon approval by the Commission, estimate the monthly refundable
20 amount.

21 (e) Commission staff will ~~shall~~ provide applicable interest rate figures and assistance in
22 calculations under this rule upon request of the affected utility.

23 (5) Method of Refund Distribution. For those customers still on the system, a credit must
24 ~~shall~~ be made on the bill. In the event the refund is for a greater amount than the bill, the
25 remainder of the credit must ~~shall~~ be carried forward until the refund is completed. If the
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1 customer so requests, a check for any negative balance must be sent to the customer within ten
2 (10) days of the request.

3 For customers entitled to a refund but no longer on the system, the company must ~~shall~~ mail a
4 refund check to the last known billing address except that no refund for less than \$1.00 will be
5 made to these customers.

6 (6) Security for Money Collected Subject to Refund. In the case of money being collected
7 subject to refund, the money must ~~shall~~ be secured by a bond unless the Commission
8 specifically authorizes some other type of security such as placing the money in escrow,
9 approving a corporate undertaking, or providing a letter of credit. The Commission must ~~may~~
10 require the company to provide a report by the 20th ~~10th~~ of each month indicating the monthly
11 and total amount of money subject to refund as of the end of the preceding month. The report
12 must ~~shall~~ also indicate the status of whatever security is being used to guarantee repayment of
13 the money.

14 (7) Refund Reports. During the processing of the refund, monthly reports on the status of
15 the refund must ~~shall~~ be made by the 20th ~~10th~~ of the following month. In addition, a
16 preliminary report must ~~shall~~ be made within thirty (30) days after the date the refund is
17 completed and again 90 days thereafter. The above reports must ~~shall~~ specify the following:

- 18 (a) The amount of money to be refunded and how that amount was computed;
19 (b) The amount of money actually refunded;
20 (c) The amount of any unclaimed refunds; and
21 (d) The status of any unclaimed amounts.

22 (8) With the last report under subsection (7) of this rule, the company must ~~shall~~ suggest a
23 method for disposing of any unclaimed amounts. The Commission will ~~shall~~ then order a
24 method of disposing of the unclaimed funds.

25 *Rulemaking Authority 350.127(2) FS. Law Implemented 366.06(3), 366.071(2) FS. History—*
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1 *New 8-18-83, Formerly 25-7.91. Amended*_____.

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1 **25-30.117 Accounting for Pension Costs.**

2 Any utility that has an established defined benefit pension plan as defined by the Financial
3 Accounting Standard's Board in the Accounting Standards Codification 715 (ASC 715), dated
4 ~~March 2017 Statement of Financial Accounting Standards No. 87, Employers' Accounting for~~
5 ~~Pensions (SFAS 87), dated December, 1985, must shall~~ account for these costs pursuant to
6 ASC 715 ~~SFAS 87~~ as it applies to business enterprises in general.

7 *Rulemaking Authority 367.121 FS. Law Implemented 367.121 FS. History—New 11-30-93.*
8 *Amended*.

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1 **25-30.360 Refunds.**

2 (1) Applicability. All refunds under this chapter ~~must shall~~ be made in accordance with
3 this rule, unless another rule in this chapter specifically sets forth the procedure for making
4 refunds. The calculation for overbillings ~~must shall~~ be pursuant to Rule 25-30.350, F.A.C.,
5 and disbursed pursuant to this rule.

6 (2) Timing of Refunds. Refunds must be made within 90 days of the Commission's order
7 unless a different time frame is prescribed by the Commission. A timely motion for
8 reconsideration temporarily stays the refund, pending the final order on the motion for
9 reconsideration. In the event of a stay pending reconsideration, the timing of the refund ~~must~~
10 ~~shall~~ commence from the date of the order disposing of any motion for reconsideration. This
11 rule does not authorize any motion for reconsideration not otherwise authorized by Chapter
12 25-22, F.A.C.

13 (3) Basis of Refund. ~~When Where~~ the refund is the result of a specific rate change,
14 including interim rate increases, and the refund can be computed on a per customer basis, that
15 will be the basis of the refund. However, ~~when where~~ the refund is not related to specific rate
16 changes, such as a refund for overearnings, the refund ~~must shall~~ be made to customers of
17 record as of a date specified by the Commission. In such case, refunds ~~must shall~~ be made on
18 the basis of usage. Per customer refund refers to a refund to every customer receiving service
19 during the refund period. Customer of record refund refers to a refund to every customer
20 receiving service as of a date specified by the Commission.

21 (4) Interest.

22 (a) ~~When In the case of refunds which~~ the Commission orders refunds to be made with
23 interest, the average monthly interest rate until refund is posted to the customer's account ~~must~~
24 ~~shall~~ be based on the AA non-financial 30-day non-financial commercial paper rate published
25 by the Board of Governors of the Federal Reserve System on its website for high-grade,

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1 ~~unsecured notes sold through dealers by major corporations in multiples of \$1,000 as regularly~~
2 ~~published in the Wall Street Journal.~~

3 (b) This average monthly interest rate must ~~shall~~ be calculated for each month of the refund
4 period:

5 1. By adding the published interest rate in effect for the last business day of the month
6 prior to each month the refund period and the published rate in effect for the last business day
7 of each month of the refund period divided by 24 to obtain the average monthly interest rate;

8 2. The average monthly interest rate for the month prior to distribution must ~~shall~~ be the
9 same as the last calculated average monthly interest rate.

10 (c) The average monthly interest rate must ~~shall~~ be applied to the sum of the previous
11 month's ending balance (including monthly interest accruals) and the current month's ending
12 balance divided by 2 to accomplish a compounding effect.

13 (d) Interest Multiplier. When the refund is computed for each customer, an interest
14 multiplier can ~~may~~ be applied against the amount of each customer's refund in lieu of a
15 monthly calculation of the interest for each customer. The interest multiplier must ~~shall~~ be
16 calculated by dividing the total amount refundable to all customers, including interest, by the
17 total amount of the refund, excluding interest. For the purpose of calculating the interest
18 multiplier, the utility may, upon approval by the Commission, estimate the monthly refundable
19 amount.

20 (e) Commission staff will ~~shall~~ provide applicable interest rate figures and assistance in
21 calculations under this rule upon request of the affected utility.

22 (5) Method of Refund Distribution. For those customers still on the system, a credit must
23 be made on the bill. In the event the refund is for a greater amount than the bill, the remainder
24 of the credit must ~~shall~~ be carried forward until the refund is completed. If the customer so
25 requests, a check for any negative balance must be sent to the customer within 10 days of the
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1 request. For customers entitled to a refund but no longer on the system, the company must
2 ~~shall~~ mail a refund check to the last known billing address except that no refund for less than
3 \$1.00 will be made to these customers.

4 (6) Security for Money Collected Subject to Refund. In the case of money being collected
5 subject to refund, the money must be secured by a bond unless the Commission specifically
6 authorizes some other type of security such as placing the money in escrow, approving a
7 corporate undertaking, or providing a letter of credit. The company must ~~shall~~ provide a report
8 by the 20th of each month indicating the monthly and total amount of money subject to refund
9 as of the end of the preceding month. The report must ~~shall~~ also indicate the status of whatever
10 security is being used to guarantee repayment of the money.

11 (7) Refund Reports. During the processing of the refund, monthly reports on the status of
12 the refund must be made by the 20th of the following month. In addition, a preliminary report
13 must ~~shall~~ be made within 30 days after the date the refund is completed and again 90 days
14 thereafter. A final report must ~~shall~~ be made after all administrative aspects of the refund are
15 completed. The above reports must specify the following:

- 16 (a) The amount of money to be refunded and how that amount was computed;
17 (b) The amount of money actually refunded;
18 (c) The amount of any unclaimed refunds; and,
19 (d) The status of any unclaimed amounts.

20 (8) Any unclaimed refunds must be treated as cash contributions-in-aid-of-construction.

21 *Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented 367.081, 367.0814,*
22 *367.082(2) FS. History—New 8-18-83, Formerly 25-10.76, 25-10.076, Amended 11-30-93, 11-*
23 *25-19. Amended_____.*

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