

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL ELECTRIC UTILITIES

OFFICE OF PUBLIC COUNSEL

ALL OTHER INTERESTED PERSONS

DOCKET NO.: 20260037-OT

IN RE: PROPOSED AMENDMENT OF RULE 25-6.049, F.A.C., MEASURING CUSTOMER SERVICE.

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 Rule 25-6.049, Florida Administrative Code, pertaining to Measuring Customer Service.

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

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

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



ADAM J. TEITZMAN
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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.

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1 **25-6.049 Measuring Customer Service.**

2 (1) All energy sold to customers shall be measured by commercially acceptable measuring
3 devices owned and maintained by the utility, except where it is impractical to meter loads,
4 such as street lighting, temporary or special installations, in which case the consumption may
5 be calculated, or billed on demand or connected load rate or as provided in the utility's filed
6 tariff.

7 (2) When there is more than one meter at a location, the metering equipment shall be so
8 tagged or plainly marked as to indicate the circuit metered. Where similar types of meters
9 record different quantities, (kilowatt-hours and reactive power, for example), metering
10 equipment shall be tagged or plainly marked to indicate what the meters are recording.

11 (3) Meters which are not direct reading shall have the multiplier plainly marked on the
12 meter. All charts taken from recording meters shall be marked with the date of the record, the
13 meter number, customer, and chart multiplier. The register ratio shall be marked on all meter
14 registers. The watt-hour constant for the meter itself shall be placed on all watt-hour meters.

15 (4) Metering equipment shall not be set "fast" or "slow" to compensate for supply
16 transformer or line losses.

17 (5) Individual electric metering by the utility shall be required for each separate occupancy
18 unit of new commercial establishments, residential buildings, condominiums, cooperatives,
19 marinas, and trailer, mobile home and recreational vehicle parks. However, individual
20 metering shall not be required for any such occupancy unit for which a construction permit
21 was issued before, and which has received master-metered service continuously since January
22 1, 1981. In addition, individual electric meters shall not be required:

23 (a) In those portions of a commercial establishment where the floor space dimensions or
24 physical configuration of the units are subject to alteration, as evidenced by non-structural
25 element partition walls, unless the utility determines that adequate provisions can be made to
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existing law.

1 modify the metering to accurately reflect such alterations;

2 (b) For electricity used in central heating, ventilating and air conditioning systems, or
3 electric back up service to storage heating and cooling systems;

4 (c) For electricity used in specialized-use housing accommodations such as hospitals,
5 nursing homes, living facilities located on the same premises as, and operated in conjunction
6 with, a nursing home or other health care facility providing at least the same level and types of
7 services as a nursing home, convalescent homes, facilities certificated under Chapter 651,
8 F.S., college dormitories, convents, sorority houses, fraternity houses, and similar facilities;

9 (d) For transient public lodging establishments as defined by Section 509.013, F.S., and as
10 classified in Section 509.242, F.S. such as hotels, motels, and similar facilities which are
11 rented, leased, or otherwise provided to guests by an operator providing overnight occupancy
12 as defined in paragraph (8)(b);

13 (e) For separate, specially-designated areas ~~for overnight occupancy, as defined in~~
14 ~~paragraph (8)(b), at~~ of trailer, mobile home, and recreational vehicle parks, and marinas,
15 which are rented to guests more than three times in a calendar year for periods of less than 30
16 days or 1 calendar month, whichever is less, or which is advertised or held out to the public as
17 a place regularly rented to guests under those terms, and at which ~~where~~ permanent occupancy
18 residency, as defined in section (8) of this rule is not established;

19 (f) For new and existing time-share plans, provided that all of the occupancy units which
20 are served by the master meter or meters are committed to a time-share plan as defined in
21 Chapter 721, F.S., and none of the occupancy units are used for permanent occupancy, as
22 defined in section (8) of this rule.

23 (g) For condominiums that are registered as a hotel with the Florida Department of
24 Business and Professional Regulation. meet the following criteria:

25 ~~1. The declaration of condominium requires that at least 95 percent of the units are used~~

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1 ~~solely for overnight occupancy as defined in paragraph (8)(b) of this rule is not established;~~

2 ~~2. A registration desk, lobby and central telephone switchboard are maintained; and~~

3 ~~3. A record is kept for each unit showing each check-in and check-out date for the unit,~~
4 ~~and the name(s) of the individual(s) registered to occupy the unit between each check-in and~~
5 ~~check-out date.~~

6 (6) Master-metered condominiums.

7 (a) Initial Qualifications – In addition to the criteria in paragraph (5)(g), in order to
8 initially qualify for master-metered service, the owner or developer of the condominium, the
9 condominium association, or the customer must attest to the utility that the criteria in
10 paragraph (5)(g) and in this subsection have been met, and that any cost of future conversion
11 to individual metering will be the responsibility of the customer, consistent with subsection (7)
12 of this rule. Upon request and reasonable notice by the utility, the utility shall be allowed to
13 inspect the condominium to collect evidence needed to determine whether the condominium is
14 in compliance with this rule. If the criteria in paragraph (5)(g) and in this subsection are not
15 met, then the utility shall not provide master-metered service to the condominium.

16 (b) Ongoing Compliance – The customer shall attest annually, in writing, to the utility that
17 the condominium meets the criteria for master metering in paragraph (5)(g). The utility shall
18 establish the date that annual compliance materials are due based on its determination of the
19 date that the criteria in paragraphs (5)(g) and (6)(a) were initially satisfied, and shall inform
20 the customer of that date before the first annual notice is due. The customer shall notify the
21 utility within 10 days if, at any time, the condominium ceases to meet the requirements in
22 paragraph (5)(g).

23 (c) Upon request and reasonable notice by the utility, the utility shall be allowed to inspect
24 the condominium to collect evidence needed to determine whether the condominium is in
25 compliance with this rule.

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1 (d) Failure to Comply – If a condominium is master metered under the exemption in this
2 rule and subsequently fails to meet the criteria contained in paragraph (5)(g), or the customer
3 fails to make the annual attestation required by paragraph (6)(b), then the utility shall promptly
4 notify the customer that the condominium is no longer eligible for master-metered service. If
5 the customer does not respond with clear evidence to the contrary within 30 days of receiving
6 the notice, the customer shall individually meter the condominium units within six months
7 following the date on the notice. During this six month period, the utility shall not discontinue
8 service based on failure to comply with this rule. Thereafter, the provisions of Rule 25-6.105,
9 F.A.C., apply.

10 (7) When a structure or building is converted from individual metering to master metering,
11 or from master metering to individual metering, the customer shall be responsible for the costs
12 incurred by the utility for the conversion. These costs shall include, but not be limited to, any
13 remaining undepreciated cost of any existing distribution equipment which is removed or
14 transferred to the ownership of the customer, plus the cost of removal or relocation of any
15 distribution equipment, less the salvage value of any removed equipment.

16 (8) For purposes of this rule permanent occupancy means occupancy for more than 180
17 days during any consecutive 12 month period.

18 ~~(a) “Occupancy unit” means that portion of any commercial establishment, single and~~
19 ~~multi-unit residential building, or trailer, mobile home or recreational vehicle park, or marina~~
20 ~~which is set apart from the rest of such facility by clearly determinable boundaries as~~
21 ~~described in the rental, lease, or ownership agreement for such unit.~~

22 ~~(b) “Overnight Occupancy” means use of an occupancy unit for a short term such as per~~
23 ~~day or per week where permanent residency is not established.~~

24 (9)(a) Where individual metering is not required under subsection (5) and master metering
25 is used in lieu thereof, reasonable apportionment methods, including sub-metering may be
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1 used by the customer of record or the owner of such facility solely for the purpose of
2 allocating the cost of the electricity billed by the utility. The term “cost” as used herein means
3 only those charges specifically authorized by the electric utility’s tariff, including but not
4 limited to the customer, energy, demand, fuel, conservation, capacity and environmental
5 charges made by the electric utility plus applicable taxes and fees to the customer of record
6 responsible for the master meter payments. The term does not include late payment charges,
7 returned check charges, the cost of the customer-owned distribution system behind the master
8 meter, the customer of record’s cost of billing the individual units, and other such costs.

9 (b) Any fees or charges collected by a customer of record for electricity billed to the
10 customer’s account by the utility, whether based on the use of sub-metering or any other
11 allocation method, shall be determined in a manner which reimburses the customer of record
12 for no more than the customer’s actual cost of electricity.

13 (c) Each utility shall develop a standard policy governing the provisions of sub-metering
14 as provided for herein. Such policy shall be filed by each utility as part of its tariffs. The
15 policy shall have uniform application and shall be nondiscriminatory.

16 *Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.05(1), 366.06(1),*
17 *366.81, 366.82 FS. History—New 7-29-69, Amended 11-26-80, 12-23-82, 12-28-83, Formerly*
18 *25-6.49, Amended 7-14-87, 10-5-88, 3-23-97, 10-10-06,_____.*

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