

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL TELECOMMUNICATIONS COMPANIES

ALL ELECTRIC UTILITIES AND COOPERATIVES

ALL GAS UTILITIES, GAS MUNICIPALS, GAS DISTRICTS AND NATURAL GAS
TRANSMISSION COMPANIES

ALL WATER AND WASTEWATER UTILITIES

OFFICE OF PUBLIC COUNSEL

AND

ALL OTHER INTERESTED PERSONS

DOCKET NO. 20260041-OT

IN RE: PROPOSED AMENDMENT OF RULES

25-4.0161, F.A.C., REGULATORY ASSESSMENT FEES; TELECOMMUNICATIONS
COMPANIES;

25-6.0131, F.A.C., REGULATORY ASSESSMENT FEES; INVESTOR-OWNED ELECTRIC
UTILITIES, MUNICIPAL ELECTRIC UTILITIES, RURAL ELECTRIC COOPERATIVES;

25-7.101, F.A.C., REGULATORY ASSESSMENT FEES; NATURAL GAS TRANSMISSION
COMPANIES;

25-7.0131, F.A.C., REGULATORY ASSESSMENT FEES; GAS UTILITIES, GAS
MUNICIPALS, AND GAS DISTRICTS;

25-30.120, F.A.C., REGULATORY ASSESSMENT FEES; WATER AND WASTEWATER
UTILITIES.

ISSUED: March 27, 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:

25-4.0161, F.A.C. Regulatory Assessment Fees; Telecommunications Companies.
25-6.0131, F.A.C. Regulatory Assessment Fees; Investor-owned Electric Companies,
Municipal Electric Utilities, Rural Electric Cooperatives.

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- 25-7.101, F.A.C. Regulatory Assessment Fees; Natural Gas Transmission Companies.
- 25-7.0131, F.A.C. Regulatory Assessment Fees; Gas Utilities, Gas Municipals, and Gas Districts.
- 25-30.120, F.A.C. Regulatory Assessment Fees; Water and Wastewater Utilities.

Copies of the preliminary draft rules are attached. The intent of this rulemaking is to update and clarify the above-noted rules and to provide updated references to Commission forms. 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 by April 9, 2026 in the above-referenced docket with the Office of the Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399.

The contact person for this rule development is Jennifer Augspurger, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, 850-413-6199, jaugspur@psc.state.fl.us.

By DIRECTION of the Florida Public Service Commission this 27th 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.

1 **25-4.0161 Regulatory Assessment Fees; Telecommunications Companies.**

2 (1) For the purposes of this rule and except for pay telephone service providers, all
3 incumbent local exchange companies, shared tenant service providers, alternative access
4 vendors, and competitive local exchange companies that hold an active certificate of public
5 convenience and necessity that was obtained prior to July 1, 2011, and all telecommunications
6 companies that hold an active certificate of authority obtained after July 1, 2011, are defined
7 as local telephone service providers. Companies classified as pay telephone service providers
8 are those companies that hold an active pay telephone certificate of public convenience and
9 necessity that was obtained prior to July 1, 2011, and those companies that hold an active pay
10 telephone certificate of authority obtained after July 1, 2011.

11 ~~(2)(a) For the interim period January 1, 2011 through December 31, 2011, as applicable~~
12 ~~and as provided in Sections 350.113 and 364.336, F.S., each company must shall remit a fee~~
13 ~~based upon its gross operating revenue as provided below. Each company that has paid by~~
14 ~~August 15, 2011, regulatory assessment fees for the period January 1, 2011 through June 30,~~
15 ~~2011, must pay a regulatory assessment fee in the amount of 0.0016 of its gross operating~~
16 ~~revenues derived from intrastate business during the period July 1, 2011 through December~~
17 ~~31, 2011. Each company that has not paid any regulatory assessment fees for the period~~
18 ~~January 1, 2011 through December 31, 2011, must pay a regulatory assessment fee in the~~
19 ~~amount of 0.0018 of its gross operating revenues derived from intrastate business. The~~
20 ~~minimum regulatory assessment fees provided in paragraph (2)(b) must apply and must be~~
21 ~~filed in accordance with the schedules provided in subsections (3) and (4). For the purpose of~~
22 ~~determining this fee, each telecommunications company must deduct from gross operating~~
23 ~~revenues any amount paid to another telecommunications company for the use of any~~
24 ~~telecommunications network to provide service to its customers.~~

25 ~~(b)~~ Effective January 1, 2012, as applicable and as provided in Sections 350.113 and
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existing law.

1 364.336, F.S., each company must ~~shall~~ remit a fee based upon its gross operating revenue as
2 provided below. This fee is ~~shall be~~ referred to as a regulatory assessment fee, and each
3 company must ~~shall~~ pay a regulatory assessment fee in the amount of 0.0016 of its gross
4 operating revenues derived from intrastate business. For the purpose of determining this fee,
5 each telecommunications company must ~~shall~~ deduct from gross operating revenues any
6 amount paid to another telecommunications company for the use of any telecommunications
7 network to provide service to its customers. Regardless of the gross operating revenue of a
8 company, a minimum annual regulatory assessment fee will ~~shall~~ be imposed as follows:

- 9 1. Local Telephone Service Provider – \$600; and
- 10 2. Pay Telephone Service Provider – \$100.

11 (3) Telecommunications companies that owed gross regulatory assessment fees of \$10,000
12 or more for the preceding calendar year must ~~shall~~ pay the fee and remit the appropriate form
13 twice a year. The regulatory assessment fee and appropriate form must ~~shall~~ be filed no later
14 than July 30 for the preceding period of January 1 through June 30, and no later than January
15 30 of the following year for the period of July 1 through December 31. Telecommunications
16 companies that owed gross regulatory assessment fees of less than \$10,000 for the preceding
17 calendar year must ~~shall~~ pay the fee and remit the appropriate form once a year. The
18 regulatory assessment fee and appropriate form must ~~shall~~ be filed no later than January 30 of
19 the subsequent year for the current calendar year operations.

20 (4) If the due date falls on a Saturday, Sunday, or legal holiday, the due date is extended to
21 the next business day. If the fees are sent by registered mail, the date of the registration is the
22 United States Postal Service's postmark date. If the fees are sent by certified mail and the
23 receipt is postmarked by a postal employee, the date on the receipt is the United States Postal
24 Service's postmark date. The postmarked certified mail receipt is evidence that the fees were
25 delivered. Regulatory assessment fees are considered paid on the date they are postmarked by

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1 the United States Postal Service or received and logged in by the Commission’s Division of
2 Administrative and Information Technology Services in Tallahassee. Fees are considered
3 timely paid if properly addressed, with sufficient postage, and postmarked no later than the
4 due date.

5 (5) Commission Form PSC XXXX PSC/TEL 159 (12/11), entitled “Local Telephone
6 Service Provider Regulatory Assessment Fee Return,” is available at
7 <http://www.flrules.org/Gateway/reference.asp?No=Ref-00761>; Form PSC XXXX PSC/TEL
8 ~~160~~ (12/11), entitled “Interim Local Telephone Service Provider Regulatory Assessment Fee
9 Return,” is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>,
10 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-00762>~~; Form PSC XXXX PSC/TEL
11 ~~26~~ (12/11), entitled “Pay Telephone Service Provider Regulatory Assessment Fee Return,” is
12 available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>,
13 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-00760>~~; and Form PSC XXXX
14 PSC/TEL 161 (12/11), entitled “Interim Pay Telephone Service Provider Regulatory
15 Assessment Fee Return,” is available at
16 <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.
17 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-00763>~~. These forms are incorporated
18 into this rule by reference and may also be obtained from the Commission’s Division of
19 Administrative and Information Technology Services. The failure of a telecommunications
20 company to receive a return form must ~~shall~~ not excuse the company from its obligation to
21 timely remit the regulatory assessment fees.

22 (6) Each telecommunications company has ~~shall have~~ up to and including the due date to
23 submit the applicable form and:

24 (a) Remit the total amount of its fee, or

25 (b) Remit an amount which the company estimates is its full fee.

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1 (7) Where the company remits less than its full fee, the remainder of the full fee must be
2 due on or before the 30th day from the due date and must, where the amount remitted was less
3 than 90 percent of the total regulatory assessment fee, include interest as provided by
4 paragraph (9)(b) of this rule.

5 (8) A company may request either a 15-day or a 30-day extension of its due date for
6 payment of regulatory assessment fees or for filing its return form by submitting to the
7 Division of Administrative and Information Technology Services Commission Form PSC
8 XXXX (6/25) PSC/AIT-124 (12/11) entitled “Regulatory Assessment Fee Extension Request,”
9 which is incorporated into this rule by reference and is available at
10 <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.,
11 <http://www.flrules.org/Gateway/reference.asp?No=Ref-00764>. This form may also be
12 obtained from the Commission’s Division of Administrative and Information Technology
13 Services.

14 (a) The request for extension must be received by the Division of Administrative and
15 Information Technology Services at least two weeks before the due date.

16 (b) The request for extension will not be granted if the company has any unpaid regulatory
17 assessment fees, penalties, or interest due from a prior period.

18 (c) Where a telecommunications company receives an extension of its due date pursuant to
19 this rule, the telecommunications company must remit a charge as set out in Section
20 350.113(5), F.S., in addition to the regulatory assessment fees.

21 (9) The delinquency of any amount due to the Commission from the telecommunications
22 company pursuant to the provisions of Section 350.113, F.S., and this rule, begins with the
23 first calendar day after any date established as the due date either by operation of this rule or
24 by an extension pursuant to this rule.

25 (a) A penalty, as set out in Section 350.113, F.S., applies ~~shall apply~~ to any such
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1 delinquent amounts.

2 (b) Interest at the rate of 12 percent per annum must apply to any such delinquent amounts.

3 (10) The Division of Administrative and Information Technology Services must send by
4 certified mail a regulatory assessment fee delinquency notice to any company that fails to file
5 a regulatory assessment fee return and that fails to pay the regulatory assessment fee by the
6 date specified in subsection (3), unless the company has met the requirements of subsections
7 (7) and (8).

8 (11) If a company fails to pay the regulatory assessment fee within 20 days after receiving
9 a delinquency notice, the Division of Administrative and Information Technology Services, in
10 cooperation with the Office of Industry Development and Market Analysis
11 ~~Telecommunications~~ and the Office of General Counsel, will establish a docket and
12 administratively issue a Notice of Proposed Agency Action Order Imposing Penalties and
13 Collection Costs, and Requiring Payment of Delinquent Regulatory Assessment Fees, or
14 Cancelling Certificates for Violation of Rule 25-4.0161, F.A.C., and Section 364.336, F.S.
15 The company must pay the past due regulatory assessment fees, the penalty and interest for
16 late payment as provided in Section 350.113, F.S., and as stated in subsection (9) above, and
17 must also pay the applicable penalty stated in subsection (12) for failure to file the regulatory
18 assessment fee return.

19 (12) Pursuant to Section 364.285, F.S., the Commission has the authority to impose a
20 penalty or cancel a certificate if a company refuses to comply with Commission rules, orders
21 or Florida Statutes. The penalty, which includes ~~will include~~ collection costs, for failure to file
22 the regulatory assessment fee return by the date stated in the delinquency notice will ~~shall~~ be
23 as follows:

24 (a) First violation – \$500;

25 (b) Second violation – \$1,000;

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1 (c) Third violation – \$2,000.

2 Failure of the company to pay the full amount due and stated in the Notice of Proposed
3 Agency Action will result in the cancellation of the company’s certificate.

4 (13) For a company’s fourth failure to pay the regulatory assessment fee after being sent a
5 delinquency notice, Commission staff must ~~shall~~ file a recommendation to the Commission for
6 further action.

7 (14) A company that reapplies for a Certificate of Authority must pay all prior unpaid
8 regulatory assessment fees, plus the penalty and interest defined in subsection (9), and any
9 prior unpaid penalty assessed in accordance with subsection (11).

10 *Rulemaking Authority 350.127(2) FS. Law Implemented 350.113, 364.285, 364.336 FS.*

11 *History—New 5-18-83, Formerly 25-4.161, Amended 10-19-86, 1-1-91, 12-29-91, 1-8-95, 12-*
12 *26-95, 7-7-96, 11-11-99, 12-7-04, 10-6-05, 4-16-07, 12-4-11,_____.*

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1 **25-6.0131 Regulatory Assessment Fees; Investor-owned Electric Companies,**
2 **Municipal Electric Utilities, Rural Electric Cooperatives.**

3 (1) As applicable and as provided in Section 350.113, F.S., and Section 366.14, F.S., each
4 company, utility, or cooperative must ~~shall~~ remit to the Commission a fee based upon its gross
5 operating revenue. This fee is ~~shall be~~ referred to as a regulatory assessment fee. Regardless of
6 the gross operating revenue of a company, utility, or cooperative, the Commission will impose
7 a minimum annual regulatory assessment fee of \$25.00. ~~shall be imposed.~~

8 (a) Each investor-owned electric company must ~~shall~~ pay a regulatory assessment fee in
9 the amount of 0.000848 of its gross operating revenues derived from intrastate business,
10 excluding sales for resale between investor-owned electric companies, municipal electric
11 utilities, and rural electric cooperatives or any combination thereof.

12 (b) Each municipal electric utility and rural electric cooperative must ~~shall~~ pay a
13 regulatory assessment fee in the amount of 0.00009905 of its gross operating revenues derived
14 from intrastate business, excluding sales for resale between investor-owned electric
15 companies, municipal electric utilities, and rural electric cooperatives or any combination
16 thereof.

17 (2) Regulatory assessment fees are due each January 30 for the preceding period or any
18 part of the period from July 1 until December 31, and on July 30 for the preceding period or
19 any part of the period from January 1 until June 30.

20 (3) If the due date falls on a Saturday, Sunday, or a holiday, the due date is extended to the
21 next business day. If the fees are sent by registered mail, the date of the registration is the
22 United States Postal Service's postmark date. If the fees are sent by certified mail and the
23 receipt is postmarked by a postal employee, the date on the receipt is the United States Postal
24 Service's postmark date. The postmarked certified mail receipt is evidence that the fees were
25 delivered. Regulatory assessment fees are considered paid on the date they are postmarked by

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1 the United States Postal Service or received and logged in by the Commission’s Division of
2 Administrative and Information Technology Services in Tallahassee. Fees are considered
3 timely paid if properly addressed, with sufficient postage and postmarked no later than the due
4 date.

5 (4) Commission Form PSC XXXX PSC/ECO-68 (01/24), entitled “Investor-Owned
6 Electric Utility Regulatory Assessment Fee Return”; is available at
7 <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>,
8 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-16449>~~; Commission Form PSC
9 XXXX PSC/ECO-69 (01/24), entitled “Municipal Electric Utility Regulatory Assessment Fee
10 Return” is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>,
11 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-16450>~~; and Commission Form PSC
12 XXXX PSC/ECO-70 (01/24), entitled “Rural Electric Cooperative Regulatory Assessment Fee
13 Return” is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.
14 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-16448>~~. These forms are incorporated
15 into this rule by reference and may be also be obtained from the Commission’s Division of
16 Administrative and Information Technology Services. The failure of a company, utility, or
17 cooperative to receive a return form does ~~shall~~ not excuse the company, utility, or cooperative
18 from its obligation to timely remit the regulatory assessment fees.

19 (5) Each company, utility, or cooperative has ~~shall have~~ up to and including the due date in
20 which to:

21 (a) Remit the total amount of its fee; or

22 (b) Remit an amount which the company, utility, or cooperative estimates is its full fee.

23 (6) Where the company, utility, or cooperative remits less than its full fee, the remainder
24 of the full fee is ~~shall be~~ due on or before the 30th day from the due date and shall, where the
25 amount remitted was less than 90 percent of the total regulatory assessment fee, include

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1 interest as provided by paragraph (8)(b) of this rule.

2 (7) A company, utility, or cooperative may request either a 15-day or a 30-day extension
3 of its due date for payment of regulatory assessment fees or for filing its return form by
4 submitting to the Division of Administrative and Information Technology Services
5 Commission Form PSC XXXX (6/25) PSC/AIT-124 (12/11), entitled “Regulatory Assessment
6 Fee Extension Request,” which is incorporated into this rule by reference and is available at:
7 <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

8 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-02620>~~. This form may also be
9 obtained from the Commission’s Division of Administrative and Information Technology
10 Services.

11 (a) The request for extension must be received by the Division of Administrative and
12 Information Technology Services at least two weeks before the due date.

13 (b) The request for extension will not be granted if the company, utility, or cooperative has
14 any unpaid regulatory assessment fees, penalties, or interest due from a prior period.

15 (c) Where a company, utility, or cooperative receives an extension of its due date pursuant
16 to this rule, the entity must ~~shall~~ remit a charge as set out in Section 350.113(5), F.S., in
17 addition to the regulatory assessment fee.

18 (8) The delinquency of any amount due to the Commission from the company, utility, or
19 cooperative pursuant to the provisions of Section 350.113, F.S., and this rule, begins with the
20 first calendar day after any date established as the due date either by operation of this rule or
21 by an extension pursuant to this rule.

22 (a) A penalty, as set out in Section 350.113(4), F.S., applies ~~shall apply~~ to any such
23 delinquent amounts.

24 (b) Interest at the rate of 12 percent per annum applies ~~shall apply~~ to any such delinquent
25 amounts.

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1 *Rulemaking Authority 350.127(2), 366.05 FS. Law Implemented 350.113, 366.14 FS. History—*
2 *New 5-18-83, Amended 2-9-84, Formerly 25-6.131, Amended 6-18-86, 10-16-86, 3-7-89, 2-*
3 *19-92, 7-7-96, 1-1-99, 5-7-13, 4-1-24, .*

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1 **25-7.101 Regulatory Assessment Fees; Natural Gas Transmission Companies.**

2 (1) As provided in Section 368.109, F.S., each natural gas transmission company must
3 ~~shall~~ pay a regulatory assessment fee. The regulatory assessment fee is ~~shall~~ be 0.25 percent
4 annually of the natural gas transmission company's gross operating revenue derived from
5 intrastate business, excluding sales of gas for resale to natural gas transmission companies,
6 public utilities that supply gas, municipal gas utilities, and gas districts.

7 (2) Regulatory assessment fees are due each January 30 for the preceding 6 month period
8 or any part of the period from July 1 until December 31, and on July 30 for the preceding 6
9 month period or any part of the period from January 1 until June 30.

10 (3) If the due date falls on a Saturday, Sunday, or a legal holiday, the due date is extended
11 to the next business day. If the fees are sent by registered mail, the date of the registration is
12 the United States Postal Service's postmark date. If the fees are sent by certified mail and the
13 receipt is postmarked by a postal employee, the date on the receipt is the United States Postal
14 Service's postmark date. The postmarked certified mail receipt is evidence that the fees were
15 delivered. Regulatory assessment fees are considered paid on the date they are postmarked by
16 the United States Postal Service or received and logged in by the Commission's Division of
17 Administrative and Information Technology Services in Tallahassee. Fees are considered
18 timely paid if properly addressed, with sufficient postage, and postmarked no later than the
19 due date.

20 (4) Commission Form PSC XXXX ~~PSC/AFD-244~~ (02/98), entitled "Natural Gas
21 Transmission Pipeline Company Regulatory Assessment Fee Return" is incorporated into this
22 rule by reference and is available at [http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX)
23 [XXXXX. http://www.flrules.org/Gateway/reference.asp?No=Ref-02615](http://www.flrules.org/Gateway/reference.asp?No=Ref-02615). This form may also
24 be obtained from the Commission's Division of Administrative and Information Technology
25 Services. The failure of a utility to receive a return form does ~~shall~~ not excuse the utility from
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1 its obligation to timely remit the regulatory assessment fees.

2 (5) Each natural gas transmission company ~~has~~ shall have up to and including the due date
3 ~~in which~~ to remit the total amount of its fee.

4 (6) Where the natural gas transmission company remits less than its full fee, the remainder
5 of the full fee ~~is~~ shall be due on or before the 30th day from the due date and, where ~~shall~~ the
6 amount remitted was less than 90 percent of the total regulatory assessment fee must include
7 interest as provided by paragraph (8)(b) of this rule.

8 (7) A company may request either a 15-day or a 30-day extension of its due date for
9 payment of regulatory assessment fees or for filing its return form by submitting to the
10 Division of Administrative and Information Technology Services Commission Form PSC
11 XXXX (6/25) PSC/AIT 124 (12/11) entitled “Regulatory Assessment Fee Extension
12 Request,” which is incorporated by reference in Rule 25-7.0131, F.A.C. This form may also
13 be obtained from the Commission’s Division of Administrative and Information Technology
14 Services.

15 (a) The request for extension must be received by the Division of Administrative and
16 Information Technology Services at least two weeks before the due date.

17 (b) The request for extension will not be granted if the utility has any unpaid regulatory
18 assessment fees, penalties, or interest due from a prior period.

19 (c) ~~When~~ Where a utility receives either a 15-day or a 30-day extension of its due date
20 pursuant to this rule, the utility must remit a charge as set out in Section 350.113(5), F.S., in
21 addition to the regulatory assessment fee.

22 (8) The delinquency of any amount due to the Commission from the company, pursuant to
23 the provisions of Section 368.109, F.S., and this rule, begins with the first calendar day after
24 any date established as the due date by operation of this rule.

25 (a) A penalty, as set out in Section 350.113, F.S., applies ~~shall apply~~ to any such

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1 delinquent amounts.

2 (b) Interest at the rate of 12 percent per annum applies ~~shall apply~~ to any such delinquent
3 amounts.

4 *Rulemaking Authority 350.127(2), 368.104 FS. Law Implemented 350.113, 368.109 FS.*

5 *History—New 9-13-98, Amended 5-7-13.*

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1 **25-30.120 Regulatory Assessment Fees; Water and Wastewater Utilities.**

2 (1) As applicable and as provided in Section 350.113, F.S., each utility must ~~shall~~ remit a
3 fee based upon its gross operating revenue. This fee is ~~shall be~~ referred to as a regulatory
4 assessment fee. Each utility must ~~shall~~ pay a regulatory assessment fee in the amount of 0.045
5 of its gross revenues derived from intrastate business. The gross revenues reported for
6 regulatory assessment fee purposes must agree with the amount reported as operating revenue
7 on Schedule F-3 of the Operating Statement in the company's Annual Report, filed in
8 accordance with Rule 25-30.110, F.A.C. A minimum annual regulatory assessment fee of \$25
9 will ~~shall~~ be imposed if there are no revenues or if revenues are insufficient to generate a
10 minimum annual fee.

11 (2) The obligation to remit the regulatory assessment fees for any year applies ~~shall apply~~
12 to any utility that is subject to the ~~this~~ Commission's jurisdiction on or before December 31 of
13 that year or for any part of that year.

14 (a) For large utilities with annual revenues of \$200,000 or more based on the most recent
15 prior calendar year, regulatory assessment fees must ~~shall~~ be filed with the Commission on or
16 before July 30 for the preceding period or any part of the period from January 1 until June 30,
17 and on January 30 for the preceding period or any part of the period from July 1 until
18 December 31. Commission Form PSC XXXX ~~PSC/AFD-010-WL (02/05)~~ entitled "Large
19 Water Utility Regulatory Assessment Fee Return" is available at
20 <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, ÷
21 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02618> and Commission Form PSC
22 XXXX (XX/26) ~~PSC/AFD-017-WL (02/05)~~ entitled "Large Wastewater Utility Regulatory
23 Assessment Fee Return" is available at
24 <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, ÷
25 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02619>. These forms are incorporated

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1 into this rule by reference and may also be obtained from the Division of Administrative and
2 Information Technology Services. The failure of a utility to receive a return form does shall
3 not excuse the utility from its obligation to timely remit the regulatory assessment fees.

4 (b) For small utilities with annual revenues of less than \$200,000 based on the most recent
5 prior calendar year, regulatory assessment fees must shall be filed with the Commission on or
6 before March 31 for the preceding year ended December 31. Commission Form PSC XXXX
7 (XX/26) PSC/AFD-010-WS (02/05) entitled “Small Water Utility Regulatory Assessment Fee
8 Return” is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> ÷
9 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02616> and Commission Form PSC
10 XXXX PSC/AFD-017-WS (02/05) entitled “Small Wastewater Utility Regulatory Assessment
11 Fee Return” is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. ÷
12 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02617>. These forms are incorporated
13 into this rule by reference and may also be obtained from the Commission’s Division of
14 Administrative and Information Technology Services. The failure of a utility to receive a
15 return form does shall not excuse the utility from its obligation to timely remit the regulatory
16 assessment fees.

17 (c) For the purpose of this rule, a utility operating both a water system and a wastewater
18 system must shall consider each system separately in determining the revenue threshold for
19 filing regulatory assessment fees on either an annual or semi-annual basis.

20 (d) Regulatory assessment fees are considered paid on the date they are postmarked by the
21 United States Postal Service or received and logged in by the Commission’s Division of
22 Administrative and Information Technology Services in Tallahassee. Fees are considered
23 timely paid if properly addressed, with sufficient postage and postmarked no later than the due
24 date.

25 (3) If the due date falls on a Saturday, Sunday, or a legal holiday, the due date is extended
CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from
existing law.

1 to the next business day. If the fees are sent by registered mail, the date of the registration is
2 the United States Postal Service's postmark date. If the fees are sent by certified mail and the
3 receipt is postmarked by a postal employee, the date on the receipt is the United States Postal
4 Service's postmark date. The postmarked certified mail receipt is evidence that the fees were
5 delivered.

6 (4) Each utility ~~has shall have~~ up to and including the due date ~~in which~~ to:

7 (a) Remit the total amount of its fee; or

8 (b) Remit an amount which the utility estimates is its full fee.

9 (5) Any utility that purchases water or wastewater treatment from another utility regulated
10 by the Florida Public Service Commission is allowed to deduct the annual expense for
11 purchased water or wastewater treatment from its gross operating revenues before calculating
12 the amount of the regulatory assessment fees due.

13 (6) A utility may request either a 15-day or a 30-day extension of its due date for payment
14 of regulatory assessment fees or for filing its return form by submitting to the Division of
15 Administrative and Information Technology Services Commission Form PSC XXXX (6/25)
16 ~~PSC/AIT 124 (12/11)~~ entitled "Regulatory Assessment Fee Extension Request," which is
17 incorporated into this rule by reference and is available at:

18 <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

19 ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-02621~~. This form may also be
20 obtained from the Commission's Division of Administrative and Information Technology
21 Services.

22 (a) The request for extension must be received by the Division of Administrative and
23 Information Technology Services at least two weeks before the due date.

24 (b) The request for extension will not be granted if the utility has any unpaid regulatory
25 assessment fees, penalties, or interest due from a prior period.

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1 (c) ~~Where~~ When a utility receives either a 15-day extension or a 30-day extension of its
2 due date pursuant to this rule, the utility ~~shall~~ must remit a charge as set out in Section
3 350.113(5), F.S., in addition to the regulatory assessment fee.

4 (7) The delinquency of any amount due to the Commission from the utility pursuant to the
5 provisions of Section 350.113, F.S., and this rule, begins with the first calendar day after any
6 date established as the due date either by operation of this rule or by an extension pursuant to
7 this rule.

8 (a) Pursuant to Section 350.113, F.S., a penalty ~~shall~~ will be assessed against any utility
9 that fails to pay its regulatory assessment fee by March 31, in the following manner:

10 1. Five percent of the fee if the failure is for not more than 30 days, with an additional five
11 percent for each additional 30 days or fraction thereof during the time in which the failure
12 continues, not to exceed a total penalty of 25 percent.

13 2. The amount of interest to be charged is one percent for each thirty days or fraction
14 thereof, not to exceed a total of 12 percent per annum.

15 (b) In addition to the penalties and interest otherwise provided, the Commission may
16 impose an additional penalty upon a utility for failure to pay regulatory assessment fees in a
17 timely manner in accordance with Section 367.161, F.S.

18 (8) Any utility that requests and receives an extension of not more than 30 days or remits,
19 ~~by the date~~, an estimated fee payment of at least 90 percent of the actual fee due by the due
20 date will ~~shall~~ not be charged interest or penalty on the balance due if paid within the
21 extension period.

22 *Rulemaking Authority 350.127(2), 367.121(1) FS. Law Implemented 350.113, 367.145,*
23 *367.161 FS. History—New 5-18-83, Formerly 25-10.24, Amended 10-19-86, Formerly 25-*
24 *10.024, Amended 11-10-86, 2-8-90, 7-7-96, 2-3-05, 5-7-13.*

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