

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:
 25-4.043 Response to Commission Staff
 Inquiries

PURPOSE AND EFFECT: To repeal the rule because it is unnecessary and duplicative of other Commission rules. Undocketed

SUBJECT AREA TO BE ADDRESSED: Telecommunications regulation.

RULEMAKING AUTHORITY: 350.127(2) FS.

LAW IMPLEMENTED: 364.183 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Miller, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

PUBLIC SERVICE COMMISSION

RULE NOS.: RULE TITLES:
 25-6.004 Reference to Commission
 25-6.042 Response to Commission Staff
 Inquiries

PURPOSE AND EFFECT: To repeal the rules because they are unnecessary and duplicative of other Commission rules. Undocketed

SUBJECT AREA TO BE ADDRESSED: Electric utility regulation.

RULEMAKING AUTHORITY: 366.05(1) FS.

LAW IMPLEMENTED: 366.05(1), 366.04(2)(f) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy

Miller, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:
 25-7.038 Response to Commission Staff
 Inquiries

PURPOSE AND EFFECT: To repeal the rule because it is unnecessary and duplicative of other Commission rules. Undocketed

SUBJECT AREA TO BE ADDRESSED: Gas service regulation.

RULEMAKING AUTHORITY: 366.05(1) FS.

LAW IMPLEMENTED: 366.05(1), 366.05(3) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Miller, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

PUBLIC SERVICE COMMISSION

RULE NOS.: RULE TITLES:
 25-24.745 Records and Reports; Rules
 Incorporated
 25-24.845 Customer Relations

PURPOSE AND EFFECT: These rules are to be repealed because they have been made obsolete due to implementation of statutory changes to Chapter 364, F.S., made by the Regulatory Reform Act of 2011. Undocketed

SUBJECT AREA TO BE ADDRESSED: Telecommunications regulation.

RULEMAKING AUTHORITY: 350.127(2), 364.337(2), 364.604(5) FS.

LAW IMPLEMENTED: 364.016, 364.16, 364.17, 364.18, 364.183, 364.185, 364.337, 364.602, 364.603, 364.604 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G. W. Cowdery, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.603
 RULE TITLE: Permit Application Procedures

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to clarify that notices of agency action will be issued only to applicants and persons who have filed requests for notification in writing or via electronic mail.

SUBJECT AREA TO BE ADDRESSED: Modification of Procedural Rules of the District.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 120.60(4), 373.116, 373.118, 373.229, 373.413 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Christopher Pettit, Office of General Counsel, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2012009)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.: 64E-5.101, 64E-5.504
 RULE TITLES: Definitions, Fluoroscopic X-Ray Systems

PURPOSE AND EFFECT: Amend rule language as necessary to meet current radiation machine produced technology standards. These changes were requested by the manufacturer of the equipment to assist the facilities using this equipment. The changes provide clarification on the requirements for the facilities without affecting public health and safety.

SUBJECT AREA TO BE ADDRESSED: Clarification of definitions in the use of fluoroscopic x-ray systems and modifying inspection procedures for these systems.

RULEMAKING AUTHORITY: 404.042, 404.051, 404.061, 404.22 FS.

LAW IMPLEMENTED: 404.031, 404.051, 404.061, 404.22 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Philip Thoma, 705 Wells Road, Orange Park, FL 32073, (904)278-5730, Philip_Thoma@doh.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.: 65A-1.603, 65A-1.716
 RULE TITLES: Food Assistance Program Income and Expenses, Income and Resource Criteria

PURPOSE AND EFFECT: The proposed rule amendment decreases the standard utility allowance, the basic utility allowance and the telephone standard used in the calculation of benefits for the Food Assistance Program and amends language for the Food Assistance Program standard utility allowance used in the Medicaid eligibility determination process.

SUBJECT AREA TO BE ADDRESSED: The Food Assistance Program standard utility allowance, the basic utility allowance and the telephone standard.

RULEMAKING AUTHORITY: 409.919, 414.45 FS.

LAW IMPLEMENTED: 409.902, 409.903, 409.904, 409.906, 409.919, 414.31 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: August 1, 2012, 1:30 p.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Cindy Keil. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Keil, Economic Self-Sufficiency Program, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, (850)717-4113, cindy_keil@dcf.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:

69A-51.050 Inspection Requirements

PURPOSE AND EFFECT: To conduct a comprehensive review and analysis to update and revise the rule.

SUBJECT AREA TO BE ADDRESSED: Boiler inspection requirements and inspection forms.

RULEMAKING AUTHORITY: 554.103 FS.

LAW IMPLEMENTED: 554.103, 554.108, 554.109, 554.1101 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 30, 2012, 9:30 a.m. – 1:00 p.m.

PLACE: Third Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mike Burns at (850)413-3614 or

Mike.Burns@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike Burns, Chief Boiler Inspector, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, FL 32399-0342. A draft copy of the text of the rule is available on the Department's website at: <http://www.myfloridacfo.com/SFM/sfmnotice.htm> THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.:
69B-221.051

RULE TITLE:
Actively Engaged in Business; Place
Suitably Designated; Accessible to
Public

PURPOSE AND EFFECT: The proposed rule provides that monthly-filed employment reports for temporary bail bond agents must be received by the Department no later than the last day of the month following the month being reported on the form. The proposed rule is further amended to require both the supervising bail bond agent and the temporary bail bond agent are to certify that the hours reported reflect the actual hours worked. The proposed rule also defines terms, revises forms and updates electronic links to such forms. The rule is renumbered to reflect the proposed changes.

SUBJECT AREA TO BE ADDRESSED: Licensee compliance in the filing of Temporary Bail Bond Agent Employment Reports; includes the addition and clarification of defined terms and revisions made to related forms.

RULEMAKING AUTHORITY: 648.26, 648.355(1)(e) FS.

LAW IMPLEMENTED: 648.25, 648.34, 648.355, 648.387, 648.44(6) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, August 1, 2012, 10:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ray Wenger, (850)413-5605. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ray Wenger, Financial Administrator, Bureau of Investigation, Division of Insurance Agent & Agency Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0319, (850)413-5605

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Office of Energy

RULE NOS.:	RULE TITLES:
50-1.001	General
50-1.005	Renewal Energy Technologies Investment Tax Credit
50-1.006	Forms
50-1.007	Florida ENERGY STAR Appliance Rebate Program

PURPOSE AND EFFECT: The Department is initiating rulemaking to repeal Rules 50-1.001 (General), 50-1.005 (Renewable Energy Technologies Investment Tax Credit), 50-1.006 (Forms), and 50-1.007 (Florida ENERGY STAR Appliance Rebate Program), F.A.C.

SUMMARY: The subjects addressed in this rulemaking include the repeal of the requirements governing the application process, review, and administration of the Renewable Energy Technologies Tax Credit and the Florida ENERGY STAR Appliance Rebate Program.

SUMMARY: The subjects addressed in this rulemaking include the repeal of the requirements governing the application process, review, and administration of the Renewable Energy Technologies Tax Credit and the Florida ENERGY STAR Appliance Rebate Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the Department’s experiences with voluntary

rebate programs and rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a Statement of Economic Regulatory Costs (SERC) as set forth in Section 120.541(2)(a), Florida Statutes.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 377.6015, 377.801, 377.803, 377.804, 377.806, 220.192 FS.

LAW IMPLEMENTED: 377.6015, 377.801-377.806, 220.192 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: April Groover, 600 South Calhoun Street, Suite 251, Tallahassee, Florida 32399-0001 or telephone (850)617-7477

THE FULL TEXT OF THE PROPOSED RULES IS:

50-1.001 General.

Rulemaking Specific Authority 377.804(3), 377.806(7), 220.192(3) FS. Law Implemented 377.801, 377.802, 377.803, 377.804, 377.806, 220.192 FS. History–New 10-22-07, Formerly 62-16.100, 27N-1.100, Repealed.

50-1.005 Renewable Energy Technologies Investment Tax Credit.

Rulemaking Specific Authority 220.192(3) FS. Law Implemented 220.192 FS. History–New 10-22-07, Formerly 62-16.600, 27N-1.600, Repealed.

50-1.006 Forms.

Rulemaking Specific Authority 220.192(3), 377.804(3), 377.806(7) FS. Law Implemented 377.804, 377.806, 220.192 FS. History–New 10-22-07, Formerly 62-16.900, 27N-1.900, Repealed.

50-1.007 Florida ENERGY STAR Appliance Rebate Program.

Rulemaking Specific Authority 377.807 FS. Law Implemented 377.807 FS. History–New 3-11-10, Formerly 27N-3.001, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Patrick Sheehan, Executive Director of the Office of Energy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Adam H. Putnam, Commissioner of Agriculture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 27, 2012