

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: RULE TITLES:

64B8-31.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

64B8-31.012 Fees Regarding Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate the revised Anesthesia Assistants licensure application into the application rule and to address a one-time reduction in the licensure fees paid by anesthesia assistants.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised licensure application and a one-time reduction in licensure fees.

RULEMAKING AUTHORITY: 456.036(5), (7), 456.048, 458.309, 458.3475 FS.

LAW IMPLEMENTED: 456.013(7), 456.0135, 456.036(4), (5), (7), 456.048, 456.0635, 458.3475 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: RULE TITLES:

64B15-7.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

64B15-7.012 Fees Regarding Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate the revised Anesthesia Assistants licensure application into the application rule and to address a one-time reduction in the licensure fees paid by anesthesia assistants.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised licensure application and a one-time reduction in licensure fees.

RULEMAKING AUTHORITY: 456.048, 459.005, 459.023, 456.036(5), (7) FS.

LAW IMPLEMENTED: 456.013(7), 456.048, 456.0135, 456.0635, 459.023, 456.036(4), (5), (7) 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-12.005 Limited Licensure

PURPOSE AND EFFECT: The proposed rule amendment is necessary to incorporate the revised limited licensure application into the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised limited license application.

RULEMAKING AUTHORITY: 459.005, 456.013, 459.0075, 459.0092 FS.

LAW IMPLEMENTED: 456.013, 456.0135, 456.039, 456.50, 456.0635, 459.0055, 459.0075, 459.0085, 459.0092 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

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

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-6.004
 RULE TITLE: Procedures for Approval of Attendance at Continuing Education Courses

PURPOSE AND EFFECT: The Board proposes the development to review and update the rule language.

SUBJECT AREA TO BE ADDRESSED: Continuing education received for participation on Probable Cause Panel.

RULEMAKING AUTHORITY: 468.353, 468.361 FS.

LAW IMPLEMENTED: 468.361 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

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

**Section II
 Proposed Rules**

PUBLIC SERVICE COMMISSION

RULE NO.: 25-6.0183
 RULE TITLE: Electric Utility Procedures for Generating Capacity Shortage Emergencies

PURPOSE AND EFFECT: To update the rule so that the December 15, 2016 Florida Reliability Coordinating Council’s Generating Capacity Shortage Plan is incorporated by reference into the rule.

Docket No. 170022-EI

SUMMARY: The rule informs the Florida Emergency Operations Center and electric utilities of the Generating Capacity Shortage Plan. The Plan establishes guidelines and procedures to be utilized by electric utilities and governmental agencies in response to generating capacity shortages.

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 been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2), FS, and concluded that the rule amendment will not have an adverse impact on economic growth, business competitiveness, or small business and is not anticipated to result in significant transactional costs. Additional transactional costs that may result from the amendment are likely to be de minimis.

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 upon the information contained in the SERC.

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: 350.127(2), 366.05, FS.

LAW IMPLEMENTED: 366.04(2)(c), (f), (5), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela H. Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, phpage@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.0183 Electric Utility Procedures for Generating Capacity Shortage Emergencies.

The Commission adopts the Florida Reliability Coordinating Council’s Generating Capacity Shortage Plan, dated December 15, 2016 July 2007, which is hereby incorporated by reference into this rule and may be accessed at [Dep’t. of State hyperlink] as the Commission’s plan to address generating capacity shortage emergencies within Florida. ~~A copy of the Generating Capacity Shortage Plan may be obtained from the Director, Division of Engineering, Florida Public Service Commission.~~

Rulemaking Authority 350.127(2), 366.05 FS. Law Implemented 366.04(2)(c), (f), (5) FS. History—New 2-12-91, Amended 3-19-98, 4-27-03, 5-1-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick Moses.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 7, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 42, Number 223, November 16, 2016.

PUBLIC SERVICE COMMISSION

RULE NOS.: RULE TITLES:
 25-30.444 Utility Reserve Fund
 25-30.4445 Notice of Application for Utility Reserve Fund

PURPOSE AND EFFECT: To implement rules for requests for water/wastewater utility reserve funds pursuant to Section 367.081, F.S.

Docket No. 160246-WS

SUMMARY: Pursuant to 2016 legislation, Rule 25-30.444, F.A.C., implements a utility reserve fund. Subsection (1) sets forth the projects eligible for the utility reserve fund. Subsection (2) sets forth the filing requirements in an application for a utility reserve fund, including the requirements for a capital improvement plan. Subsection (3) provides reporting requirements for the utilities so the Commission can track the monies collected for the utility reserve fund. Subsection (4) lists the information that a utility must provide to the Commission in order to receive Commission authorization for disbursement of the reserve fund monies. Subsection (5) sets forth the filing requirements to request a modification of the reserve fund.

Subsection (6) of the rule provides the conditions under which the Commission will determine the final disposition of a utility reserve fund.

Rule 25-30.4445, F.A.C., provides the noticing requirements for the application for a utility reserve fund, including applications filed as stand-alone applications or applications filed in conjunction with another rate case proceeding.

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 been prepared by the Agency.

The SERC concludes that any economic impacts that might be incurred by affected entities would be a result of statutory changes to Sections 367.081 and 367.0814, F.S., made by the 2016 legislation and are not due to a Commission-initiated rulemaking effort. The SERC concluded that the rules will not likely directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in Florida within one year after implementation. The SERC concluded that the rules will not likely have an adverse impact on economic growth, private-sector job creation or employment, private sector investment,

business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within five years of implementation. The rules will not have an adverse impact on small business and will have no impact on small cities or small counties. No regulatory alternatives were submitted pursuant to Section 120.541(1)(a), F.S. None of the impact/cost criteria established in Section 120.541(2)(a), F.S., will be exceeded as a result of the new rules.

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 upon the information contained in the SERC.

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: 350.127(2), F.S., 367.081(2)(c), F.S., 367.121, FS.

LAW IMPLEMENTED: 367.081, F.S., 367.091, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adria Harper, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, aharper@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.444 Utility Reserve Fund

(1) PROJECT ELIGIBILITY. The following considerations shall be applied in determining whether a future infrastructure repair or replacement project is eligible for advance funding through a utility reserve fund and whether a utility reserve fund is the most appropriate methodology to address the requested project.

(a) The following projects shall be eligible for a utility reserve fund:

1. Projects to repair or replace existing utility infrastructure that is nearing the end of its useful life or is detrimental to water quality or reliability of service that is recorded in the National Association of Regulatory Utility Commissioners' Uniform System of Accounts (NARUC USOA) water utility plant account numbers 304, 305, 306, 307, 308, 309, 310, 311, 320, 330, 331, 333, 334, 335, 336, and 339, and wastewater utility plant account numbers 354, 355, 360, 361, 362, 363, 364, 365, 366, 367, 370, 371, 374, 375, 380, 381, 382, and 389;

2. Future expenditures related to land or land rights recorded in NARUC USOA water utility plant account number 303 or wastewater utility plant account number 353 if the expenditure is necessary to the successful completion of an eligible repair or replacement project;

3. Upgrades or enhancements of existing facilities if it can be demonstrated that the upgrade or enhancement is necessary to comply with federal, state, or local regulatory requirements, or provides a more cost-effective or more reliable alternative than an identical replacement, and that the upgrade or enhancement is not designed solely to address future customer growth;

4. Repair projects that may be expensed rather than capitalized, as prescribed by Rule 25-30.140(1)(g)(3), F.A.C., if it can be demonstrated that the repair expense is not already reflected in the utility's current rates as an annual or amortized annual expense, or that the annual repair and maintenance expense allowance reflected in the utility's current rates is insufficient to cover the projected costs of the proposed repair project; or

5. If a project includes both the repair or replacement of existing infrastructure and the expansion or improvement of facilities to meet future customer growth, the portion of the project that is related to the repair and replacement of existing infrastructure is eligible if those costs can be identified and segregated from the portion of the project related to the expansion or improvements designed to meet future customer growth.

(b) The following projects shall not be eligible for a utility reserve fund:

1. Projects to repair or replace general plant that is not directly associated with the physical operation of the utility's water or wastewater systems that are recorded in NARUC USOA water utility plant account numbers 340, 341, 342, 343, 344, 345, 346, 347, and 348, and wastewater utility plant account numbers 390, 391, 392, 393, 394, 395, 396, 397, and 398;

2. Expenditures related to NARUC USOA water utility plant accounts 301 and 302, and wastewater utility plant accounts 351 and 352, which cover organization and franchise related expenditures;

3. Expenditures related to land or land rights recorded in NARUC USOA water utility plant account number 303 or wastewater utility plant account number 353 if the expenditure is necessary solely to meet future customer growth; or

4. Capital improvement projects to expand existing facilities or construct new facilities solely to meet future customer growth.

(c) When evaluating whether the utility's request to create a utility reserve fund is the most appropriate methodology to address the utility's eligible future infrastructure repair and replacement projects, the following additional factors will be considered:

1. Whether the anticipated completion date of the project allows sufficient time to accumulate the funds necessary to fund the project;

2. Whether the anticipated completion date is within 24 months of the end of the historic test year used in a jointly filed rate application, if applicable, thereby making the project eligible for consideration as a pro forma project in the rate proceeding pursuant to Section 367.081(2)(a)2., F.S.;

3. Whether the contributions-in-aid-of-construction that will result from the utility reserve fund will cause the utility to exceed the service availability policy guidelines provided in Rule 25-30.580, F.A.C.;

4. Whether any of the eligible projects included in the utility reserve fund will result in the complete elimination of either the water or wastewater treatment process;

5. Whether it has been more than seven years since the utility's last rate case, if the request is filed as a stand-alone application or in conjunction with a limited proceeding; or

6. Whether the total increase resulting from implementation of the utility reserve fund surcharge will exceed the utility's annual revenues for the most recent 12-month period or test year by more than 30 percent.

(2) UTILITY RESERVE FUND FILING REQUIREMENTS. Each applicant that requests approval to create a utility reserve fund shall provide the following information to the Commission. The request may be filed as a stand-alone application or in conjunction with an application for rate increase filed pursuant to Sections 367.081(2)(a), 367.0814, or 367.0822, F.S. If the request is filed in conjunction with an application for rate increase that also requires the applicant's general information, paragraphs (2)(a), (b), and (c) may be omitted from the utility reserve fund portion of the joint application. A utility that qualifies for staff assistance as provided by Rule 25-30.455(1), F.A.C., may also request assistance with the utility reserve fund process.

(a) The utility's name as it appears on the utility's certificate, address, telephone number, and, if available, email address and fax number.

(b) The name(s), address(es), and telephone number(s) of the person(s) that should be contacted regarding this application.

(c) The address within the service area where the application is available for customer inspection during the time the rate application is pending.

(d) A statement of the reason(s) why the utility is requesting approval of a utility reserve fund.

(e) A capital improvement plan that includes: a general description of the age and condition of the utility's facilities; a description of all infrastructure repair or replacement projects that the utility anticipates will be necessary within the next five years, at a minimum, even if some projects will not be included in the utility reserve fund; and the following information for each infrastructure repair or replacement project that the utility requests be included in the utility reserve fund:

1. A description of each plant asset that will be repaired or replaced, including the NARUC USOA account number for each asset;

2. The date each asset was originally placed into service or an estimate of the age of the plant asset(s) as reflected in the utility's depreciation records if the original service date is unknown;

3. A detailed description of the reason(s) each repair or replacement project is necessary to maintain or improve the quality or reliability of the water or wastewater service, including whether any asset will be replaced prior to the end of its average service life as provided by Rule 25-30.140, F.A.C.;

4. If the repair or replacement project is required by a governmental or regulatory agency, include a copy of the rule, regulation, order, or other regulatory directive that requires the repair or replacement;

5. The projected cost to repair or replace each asset, and documentation that supports the utility's calculation of the projected cost. The utility shall make all reasonable efforts to obtain at least three comparative cost estimates for each requested project. Acceptable forms of projected cost documentation are: an estimate by a professional engineer or other person knowledgeable in design and construction of water and wastewater plants; a bid from a vendor or service provider that includes a description of all work to be completed and an itemized list of all costs associated with the project; vendor information regarding the purchase price of plant components that will be purchased directly by the utility and labor estimates for work that will be performed on the project by a utility employee or contractual service provider, along with a statement that confirms that the employee's or contractual service provider's work on the project is not included in their normal duties; or other information that shows a detailed and verifiable estimate of the projected cost. If the utility is unable to obtain three cost estimates for each project, the utility shall provide a statement explaining what steps the utility took to obtain the estimates, why the utility was unable to obtain three estimates, and any responses received from any contractors solicited.

6. Detailed specifications for each asset that can be used to verify the projected repair or replacement cost, such as type, size, quantity, or quality of the materials used to complete the repair or replacement of the asset. If the type, size, quantity, or quality of the components used to make the repair or replacement will be materially different than the plant asset(s) being repaired or replaced, describe the specific differences and why the change is either necessary or provides a better resolution for the repair or replacement;

7. If the repair or replacement will change the design of the system, include a statement explaining how the design of the system will change and why the change is either necessary or will provide a better resolution for the repair or replacement;

8. A description of any alternatives to the proposed infrastructure repair or replacement project that the utility considered, such as new technologies or interconnection with another utility system, and why the proposed project was determined to be the most cost-effective option or will provide a better resolution for the repair or replacement;

9. If the infrastructure that is being replaced was subject to a non-used and useful adjustment in the utility's last rate proceeding, include a statement explaining whether the utility considered reducing the size of the replacement infrastructure to better match the utility's capacity needs and the results of that analysis;

10. A description of any expense increases or decreases that the utility anticipates will occur following completion of the infrastructure repair or replacement project; and

11. The projected timeline and anticipated completion date for the repair or replacement project, including a detailed description of any target dates and significant milestones if the project will be completed in multiple phases. If the repair or replacement project is required by a governmental or regulatory agency, include any specific deadlines that have been imposed by that agency, and describe any penalties that will be incurred by the utility if the deadlines are not met.

(f) A description of any other funding sources that may be used for the project, including a breakdown of the estimated project costs that will be funded with the utility reserve fund, utility investment, and each available external funding source, such as a bank loan, government loan, or government grant, as applicable.

(g) A schedule showing the calculation of the annualized revenues for the most recent 12-month period using the rates in effect at the time the utility files its application for approval to create a utility reserve fund, broken down by customer class and meter size. This schedule may be omitted from the utility reserve fund portion of the application if filed in conjunction with an application for a rate proceeding that also requires an annualized revenue calculation.

(h) A schedule showing the calculation of the proposed utility reserve fund surcharge based on the number of bills by customer class and meter size for the most recent 12-month period, or test year if filed in conjunction with an application for a rate proceeding.

(i) Revised tariff sheets incorporating the utility reserve fund surcharge into the tariff. The utility shall show the utility reserve fund surcharge as a separate charge in its tariff and on its customer bills.

(j) A statement indicating whether the applicant will secure the utility reserve fund through an interest-bearing escrow account or an irrevocable letter of credit. If the utility's request to create a utility reserve account is approved by the Commission, the utility will be required to provide documentation showing that the escrow account has been established or the irrevocable letter of credit has been obtained prior to implementation of the utility reserve fund surcharge.

(k) A description of the procedures that the utility will implement to segregate the monies collected from the utility reserve fund surcharge on the utility's books and records. Separate accounting records must be maintained to record all transactions associated with the collection, deposit, and use of monies designated for the utility reserve fund. A separate bank account may be used to segregate the utility reserve fund monies that are secured through an irrevocable letter of credit but is not required.

(l) A statement signed by an officer of the utility that the utility will comply with the noticing requirements in Rule 25-30.4445, F.A.C., if the request is filed as a stand-alone application, Rule 25-22.0407, F.A.C., if the request is filed in conjunction with an application for a rate increase filed pursuant to Sections 367.081(2)(a) or 367.0814, F.S., or Rule 25-30.446, F.A.C., if the request is filed in conjunction with a limited proceeding filed pursuant to Section 367.0822, F.S.

(m) An Asset Management Plan prepared by the Florida Rural Water Association may be provided in lieu of a capital improvement plan in paragraph (2)(e).

(3) REPORTING REQUIREMENTS. Any utility that receives approval from or is required by the Commission to create a utility reserve fund must keep an accurate and detailed account of all monies and report to the Commission all monies it receives from the utility reserve fund surcharge. The reporting requirement shall begin when the utility's reserve fund surcharge tariff becomes effective. The utility must file periodic reports as follows:

(a) The utility shall file a report with the Commission Clerk's office no later than the 20th of every month indicating the monthly and total amount of money deposited into, and monthly and total amount of disbursements made from the utility reserve fund as of the end of the preceding month. If the utility bills its customers less frequently than once a month,

this reporting requirement may be modified to match the utility's normal billing frequency. A copy of a bank statement that separately identifies the utility reserve fund deposits and disbursements may serve as the monthly report.

(b) At least once every six months, the utility shall also report the status of all eligible projects included in the utility reserve fund for which work was performed during the last six months including the actual start date, the estimated or actual completion date, the costs incurred during the last six months, and the total cost for any projects completed during the last six months.

(c) The reports shall continue as long as the utility reserve fund is in effect and until all funds have been disbursed either to pay for completed eligible projects or as refunds to customers.

(d) A request for disbursement from the utility reserve fund escrow account or authorization to use funds secured by an irrevocable letter of credit may be filed in conjunction with the utility's monthly or quarterly reports.

(e) The utility shall also separately identify the utility reserve fund in its annual report filed with the Commission each year pursuant to Rule 25-30.110, F.A.C.

(f) The utility shall file an updated capital improvement plan with the Commission at least once every three years for as long as the utility reserve fund remains active.

(4) DISBURSEMENT OF FUNDS. A utility requesting disbursement of funds from an escrow account or authorization to use funds secured by an irrevocable letter of credit shall file the following information and supporting documentation:

(a) A statement explaining why the disbursement is needed, including a description of the completed project, or if a partial disbursement of funds is necessary prior to completion of the full project, a description of the completed phase of the project, purchase of materials, payments to contractors or vendors, or construction draws, as applicable;

(b) The date the project or phase of the project was completed and the replacement asset(s) was placed in service, as applicable;

(c) Documentation supporting the amount of the requested disbursement. Acceptable forms of documentation are: invoices, receipts, contractor application and request for payment forms, loan documents, documents showing proof of payment, and other information that shows detailed and verifiable project costs and payments;

(d) Documentation showing that the completed work was inspected or approved by the governmental or regulatory authority that required the repair or replacement project, if applicable; and

(e) Other documentation that demonstrates the project was completed, such as photographs of the completed work, may be submitted but is not required.

(f) A utility may request the disbursement of funds from a utility reserve fund to assist with making an emergency repair or replacement that is critical to the operation of the utility facilities and resulted from events that were out of the utility's control, such as weather related damage, accidents, or defective parts. The utility's request for an emergency disbursement must include the following information:

1. The information required in paragraphs (4)(a) through (e) above;

2. A description of any future funding sources that may be available to assist the utility with the emergency repair or replacement costs, such as government assistance for weather damage, insurance benefits, or manufacturer warranties for defective parts;

3. A statement explaining how the utility will reimburse the utility reserve fund for the emergency disbursement through future funding sources, such as, government assistance, insurance benefits, manufacturer warranties, bank loans, or utility investment. If no funding sources will be available for reimbursement of the utility reserve fund, the utility shall either provide a statement describing how the utility reserve fund project(s) or timeline may be modified to address the project funding needs without modifying the amount of the utility reserve fund surcharge, or provide the information required in subsection (5) below to request a modification of the utility reserve fund surcharge.

(5) UTILITY RESERVE FUND MODIFICATIONS. A utility that must undertake a project that was not anticipated when the utility reserve fund was created or that must make significant modifications to a previously approved project may request a modification of the utility reserve fund at any time following creation of the fund or in the utility's next rate proceeding by filing the following information:

(a) A statement describing why the new project or modification of a previously approved project is necessary, and whether the utility is requesting a change in the utility reserve fund surcharge or only acknowledgement of the project modifications. If the new project or project modification is required by a governmental or regulatory agency, include a copy of the rule, regulation, order, or other regulatory directive that requires the new project or project modification; and

(b) The information required in paragraphs (2)(e) or (m), and (f), (g), (h), and (i) if the utility is requesting a change in the utility reserve fund surcharge. Also, if the utility reserve fund is secured through an irrevocable letter of credit, the utility shall provide an updated irrevocable letter of credit

prior to implementation of the utility reserve fund surcharge increase.

(6) FINAL DISPOSITION OF UTILITY RESERVE FUND.

(a) The utility reserve fund surcharge shall be discontinued after all approved eligible projects(s) have been completed, sufficient funds have been collected in the utility reserve fund to cover the cost of the approved eligible project(s), and the final disbursement has been made from the utility reserve fund. During the utility's next rate proceeding, the utility's rate base, capital structure, operating expenses, and rates shall be adjusted as needed to reflect the completed projects. The amount of the new plant assets that are funded through a utility reserve fund shall be offset with an equal addition to contributions-in-aid-of-construction.

(b) Any monies that remain in the utility reserve fund following the last disbursement for the completed eligible project(s) shall be refunded to the customers with interest in accordance with Rule 25-30.360, F.A.C.

(c) All monies collected and held in the utility reserve fund should remain with the utility regardless of any changes in utility ownership. If a utility's ownership changes through a transfer or abandonment, the Commission shall determine whether the utility reserve fund should be continued as follows:

1. In the event that the utility's ownership changes through a transfer as provided in Rule 25-30.037, F.A.C., the transfer agreement shall include provisions that state: that the utility reserve fund shall remain with the utility following the close of the sale; that the seller shall provide copies of all documents related to the utility reserve fund to the buyer, including the approved capital improvement plan, financial records, and status reports; whether the buyer requests to continue the utility reserve fund following the transfer; and whether the buyer will assume responsibility for the escrow account or obtain an irrevocable letter of credit to secure the utility reserve fund. If the buyer does not request to continue the utility reserve fund or does not provide sufficient documentation to guarantee the continued security of the utility reserve fund and compliance with the provisions set forth in this rule, all monies held in the utility reserve fund shall be refunded to the customers with interest in accordance with Rule 25-30.360, F.A.C., and the utility reserve fund surcharge and utility reserve fund shall be discontinued. However, if the transfer of ownership is requested pursuant to Rule 25-30.037(5), F.A.C., and will result in the transfer of ownership to an exempt entity other than a governmental utility, the buyer shall not be required to obtain an escrow account or an irrevocable letter of credit.

2. In the event that the utility is abandoned as provided in Rule 25-30.090, F.A.C., all monies held in the utility reserve fund and all documents related to the utility reserve fund shall remain with the utility and be turned over to the court-appointed receiver. If the utility remains under Commission jurisdiction following the abandonment, the court-appointed receiver shall be responsible for managing the utility reserve fund in accordance with this rule and all applicable Commission Orders.

(d) If the utility fails to follow through with the eligible project(s) covered by the utility reserve fund or comply with the security, fund maintenance, or reporting requirements set forth in this rule, the Commission shall initiate a review of the utility reserve fund and surcharge to determine whether the utility reserve fund and surcharge should be discontinued and whether all monies in the reserve fund should be refunded to the customers with interest in accordance with Rule 25-30.360, F.A.C.

Rulemaking Authority 350.127(2), 367.081(2)(c), 367.121 FS. Law Implemented 367.081(2)(c) FS. History—New

25-30.4445 Notice of Application for Utility Reserve Fund.

(1) This rule applies to all petitions to create a utility reserve fund filed by a water or wastewater utility that are filed as a stand-alone application. Petitions that are filed in conjunction with another rate proceeding filed pursuant to Sections 367.081(2)(a), 367.0814, or 367.0822, F.S., shall comply with the noticing requirements set forth in Rule 25-22.0407 or 25-30.446, F.A.C., as applicable.

(2) Upon filing a petition to create a utility reserve fund, the utility shall mail a copy of the petition to the chief executive officer of the governing body of each municipality and county within the service areas included in the rate request. Each copy of the petition shall be accompanied by a statement that a copy of the utility reserve fund minimum filing requirements (MFRs) set forth in Rule 25-30.444, F.A.C., when accepted by the Commission, can be obtained from the petitioner upon request.

(3) Within 30 days after the official date of the filing established by the Commission, the utility shall place a copy of the petition and MFRs at its official headquarters and at all business offices it has in the service areas included in the request. Such copies shall be available for public inspection during the utility's regular business hours. If the utility does not have a business office in a service area included in its petition, the utility shall make other arrangements to provide public access to the petition and MFRs. Acceptable public access options are: placing a copy of the petition and MFRs at the main county library, the local community center, or other appropriate location which is within or most convenient to the

service area and which is willing to accept and provide public access to the copies; providing customers with information about how to access the petition and MFRs in the utility's docket file on the Commission's Web site; or providing a printed or electronic copy of the petition and MFRs to any customer who requests access to a copy.

(4)(a) Within 50 days after the official date of filing established by the Commission, the utility shall provide, in writing, an initial customer notice to all customers within the service areas included in the utility reserve fund request and to all persons in the same service areas who have filed a written request for service or who have been provided a written estimate for service within the 12 calendar months prior to the month the request is filed. If a utility that qualifies for staff assistance under Rule 25-30.455(1), F.A.C., requests assistance with the utility reserve fund process and a customer meeting is scheduled, the initial customer notice may be combined with the customer meeting notice and provided in accordance with subsection (5) instead of 50 days after the official filing date established by the Commission.

(b) The initial customer notice must be approved by Commission staff prior to distribution and shall include the following:

1. The date the notice is to be issued;

2. A statement that the utility has filed a utility reserve fund request with the Commission and a statement of the general reasons for the request;

3. A statement of the location(s) where a copy of the petition and MFRs are available for public inspection and the hours and days when inspection may be made, or instructions on how to obtain a copy if the utility has made alternate public access arrangements as referenced in subsection (3) above;

4. A comparison of current utility reserve fund surcharge, if applicable, and the proposed new utility reserve fund surcharge;

5. The utility's address, telephone number, and business hours;

6. A statement that written comments regarding utility service or the proposed utility reserve fund rates and charges should be addressed to the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, and that such comments should identify the docket number assigned to the proceeding;

7. A statement that complaints regarding service may be made to the Commission's Office of Consumer Assistance and Outreach at the following toll-free number: 1(800) 342-3552; and

8. The docket number assigned by the Commission's Office of Commission Clerk.

(c) The initial customer notice shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.

(5) No less than 14 days and no more than 30 days prior to the date of a customer meeting conducted by the Commission staff, the utility shall provide written notice of the date, time, location, and purpose of the customer meeting to all customers within the service areas designated by the Commission staff. The notice must be approved by Commission staff prior to distribution. The notice shall be mailed to the out-of-town address of all customers who have provided the utility with an out-of-town address.

(6) If a proposed agency action order issued in the case is protested and any hearings are subsequently held, the utility shall give notice no less than 14 days and no more than 30 days prior to the date of each hearing held in or near a utility service area included in the utility reserve fund request. No less than 14 days and no more than 30 days prior to the hearing, the utility shall have published in a newspaper of general circulation in the area in which such hearing is to be held a display advertisement stating the date, time, location, and purpose of the hearing. These notices must be approved by Commission staff prior to publication.

(7) After the Commission issues an order granting or denying a utility reserve fund request, the utility shall notify its customers of the order and any revised rates. The customer notification must first be approved by Commission staff and shall be distributed no later than with the first bill containing any revised rates.

Rulemaking Authority 350.127(2), 367.081(2)(c), 367.121 FS. Law Implemented 367.081(2)(c), 367.091, FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Cheryl Bulecza-Banks

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 07, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 42, Number 187, September 26, 2016, and Volume 42, Number 233, December 2, 2016.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: 60S-11.001
RULE TITLE: Definitions

PURPOSE AND EFFECT: To amend Form DP-EXT, to include the printed name and position title of the Superintendent or designee from the agency.

SUMMARY: To amend Form DP-EXT.

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: the economic review conducted by the agency.

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: 121.031, 121.091(13) FS.

LAW IMPLEMENTED: 121.091(13) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Chief, Bureau of Research and Education, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311, (850)414-6349.

THE FULL TEXT OF THE PROPOSED RULE IS:

60S-11.001 Definitions.

The definitions in Rule 60S-6.001, F.A.C., apply to this section unless otherwise expressly stated, and when used in this section, the following words and terms have the meaning indicated:

(1) through (7) No change.

(8) DROP END DATE – means the date DROP participation ceases and shall be the date termination of all employment occurs as defined in paragraph 60S-6.001(69)(b), F.A.C., except as provided in subsection 60S-11.004(10), F.A.C., for elected officers. The DROP end date shall be effective as of the date of the participant’s designated deferred resignation, as stated on Form DP-ELE (Rev. 04/09) <http://www.flrules.org/Gateway/reference.asp?No=Ref-00391>, Florida Retirement System Pension Plan Notice of Election to Participate in the Deferred Retirement Option Program (DROP) and Resignation of Employment, herein adopted by reference; or if applicable on Form DP-EXT, effective 04/17, (Rev. 04/09) <http://www.flrules.org/Gateway/reference.asp?No=Ref->

<http://www.flrules.org/Gateway/reference.asp?No=Ref-00392>, Florida Retirement System Pension Plan Extension of Deferred Retirement Option Program (DROP) For Specified K-12 Instructional Personnel, herein adopted by reference, or earlier if the participant terminates prior to the designated resignation date. Form DP-ELE and Form DP-EXT may be obtained from the Forms page of the Division’s website, www.frs.MyFlorida.com, or by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area or locally at (850)907-6500. Individuals with a hearing or speech impairment may call the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771. The participant may cease participation in DROP prior to the designated resignation date only by satisfying the definition of termination as provided in paragraph 60S-6.001(69)(b), F.A.C.

(9) through (10) No change.

Rulemaking Authority 121.031, 121.091(13) FS. Law Implemented ~~121.021~~, 121.091(13) FS. History—New 9-16-03, Amended 4-5-12, 3-25-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elizabeth Stevens, Director
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 2017
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 14, 2016

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: RULE TITLE:
 60S-11.002 Participation

PURPOSE AND EFFECT: Amend DP-11, Application for Service Retirement and DROP.

SUMMARY: To amend form DP-11 to correct instructions for making a beneficiary designation.

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: the economic review conducted by the agency.

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: 121.031, 121.091(13) FS.

LAW IMPLEMENTED: 121.091, 1012.01 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Chief, Bureau of Research and Education, Department of Management Services, Division of Retirement, 2450 Shumard Oak Blvd., Bldg. 2, Tallahassee FL 32311, (850)414-6349.

THE FULL TEXT OF THE PROPOSED RULE IS:

60S-11.002 Participation.

(1) through (2) No change.

(3) APPLICATION TO PARTICIPATE –

(a) Member’s Responsibility – It shall be the responsibility of the eligible member to make proper application to the Division to participate in DROP. To qualify for DROP, the member shall submit to the Division:

1. No change.

2. Form DP-11, effective 04/17 ~~08/16~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref->

<http://www.flrules.org/Gateway/reference.asp?No=Ref-07335>, Florida Retirement System Pension Plan Application for Service Retirement and the Deferred Retirement Option Program (DROP); or Form DS-11 (Rev. 07/06) <http://www.flrules.org/Gateway/reference.asp?No=Ref-00400>, State and County Officers’ and Employees’ Retirement System Application for Service Retirement and the Deferred Retirement Option Program (DROP); or Form DT-11, effective 08/16,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-07334>, Teachers’ Retirement System Application for Service Retirement and the Deferred Retirement Option Program (DROP). All such forms are herein adopted by reference and may be obtained from the Forms page of the Division’s website, www.frs.MyFlorida.com, or by calling the Division Toll Free at (844)377-1888, if calling from outside the Tallahassee calling area or locally at (850)607-6500. Individuals with a hearing or speech impairment may call the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771. Such application will be accepted by the Division up to 6 months in advance of the intended DROP begin date, and shall establish the member’s effective date of retirement and DROP begin date. The effective date of

retirement and the DROP begin date shall both be the first day of the month that the member indicates on his or her application as the date he or she wishes his or her DROP participation to begin, provided the Division receives the member’s application no later than the close of business on the last day of the month in which the DROP begin date occurs. If a member fails to apply for DROP by the last day of the month in which his or her intended DROP begin date occurs, the effective date of retirement and the DROP begin date shall be the first day of the month in which the Division receives the member’s application, provided the application is received within the 12-month election as provided in subsection 60S-11.002(2), F.A.C.

(b) through (d) No change.

Rulemaking Authority 121.031, 121.091(13) FS. Law Implemented ~~121.021~~, 121.091, 1012.01 FS. History—New 9-16-03, Amended 4-5-12, 3-25-13, 10-23-16, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elizabeth Stevens, Director
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 24, 2017
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 9, 2017

Section III
Notice of Changes, Corrections and Withdrawals

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-1.054
RULE TITLE: Recordkeeping and Documentation Requirements
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 251, December 29, 2016 issue of the Florida Administrative Register.

59G-1.054 Recordkeeping and Documentation Requirements.

- (1) No change.
- (2) Documentation Requirements.
 - (a) No change.
 - 1. through 3. No change.

(b) Unless otherwise specified in the applicable service-specific Florida Medicaid coverage policy, providers must document the following information for each service visit or encounter with a Florida Medicaid recipient:

- 1. through 11. No change.
- (3) through (6) No change.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.0141
RULE TITLE: Standards for Telemedicine Practice
NOTICE OF ADDITIONAL PUBLIC HEARING

The Board of Medicine hereby gives notice of an additional public hearing on Rule 64B8-9.0141, F.A.C. to be held at the Joint Committee on Telemedicine on Thursday, April 6, 2017, 2:30 p.m., or as soon thereafter as can be heard, at the Sheraton Suites, 555 NW 62nd Street, Fort Lauderdale, Florida 33309. The proposed rule amendment was published in Vol. 42, No. 237, of the December 8, 2016, issue of the Florida Administrative Register (FAR). The Board held a previous public hearing on this rule on February 3, 2017.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-2.091
RULE TITLE: Publications Incorporated by Reference

The Southwest Florida Water Management District hereby gives notice that on March 8, 2017, it has issued an order granting a variance.

Petitioner's Name: Aman Enterprises, LLC – File Tracking No. 2016051

Date Petition Filed: September 14, 2016

Rule No.: 40D-2.091, F.A.C.

Nature of the rule for which variance or waiver was sought:
Timely application for permit renewal

Date Petition Published in the Florida Administrative Register:
September 19, 2016

A copy of the Order or additional information may be obtained by contacting: Michael Bray, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 4658, mike.bray@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 8, 2017, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code from IGC-Savannahs Golf Course LLC located in Merritt Island. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on March 7, 2017, the Florida Housing Finance Corporation received a petition for waiver from Delmar Terrace South, LLC requesting a waiver of subsection 67-48.002(95), F.A.C, to grant waiver of the requirements of 2015 QAP to allow exchange of 2015 Housing Credits for 2016 or 2017 Housing Credits.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kate Flemming, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The

Petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 29, 2017, 1:00 p.m.

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida, 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a regular business meeting of the Florida Prepaid College Foundation Board.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/> or by calling (850)488-8514.

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 faxing a written request to: the Florida Prepaid College Board at (850)488-3555 no later than five (5) days prior to the meeting. 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).

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 29, 2017, 3:00 p.m. until completion

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida, 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a regular business meeting of the Florida ABLE, Inc. Board.

A copy of the agenda may be obtained by contacting <http://www.myfloridaprepaid.com/> or by calling (850)488-8514.

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 faxing a written request to: the Florida Prepaid College Board at (850)488-3555. 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).

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 30, 2017: Florida Prepaid College Board Audit and Risk Committee, 8:00 a.m. until completion; Florida Prepaid College Board Investment Committee, 9:00 a.m. until completion, followed by Florida Prepaid College Board meeting

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct meetings of the regular business of the Florida Prepaid College Board Audit and Risk Committee, the Florida Prepaid College Board Investment Committee, and the Florida Prepaid College Board.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/> or by calling (850)488-8514.

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 faxing a written request to: the Florida Prepaid College Board at (850)488-3555. 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).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 15, 2017, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL, 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to discuss regulatory matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center, 2301 McGregor Blvd., Fort Myers, FL 33901

Okeechobee Service Center, 3800 NW 16th Boulevard, Okeechobee, FL 34972

Orlando Service Center, 1707 Orlando Central Parkway, Suite 200, Orlando, FL 32809

The meeting will also be webcast.

Agendas are available 7 days prior to the meeting date. You may obtain a copy of the agenda by going to our website at: www.sfwmd.gov:

- Hold mouse over the “Topics” tab, scroll down to “Permits” and click
- Under “Upcoming Events” on the right hand column, click the “Monthly Regulatory Meetings” link
- or subscribe to ePermitting/eNoticing: www.sfwmd.gov/epermitting

For additional information, you may also call our information line at (561)682-6207 or Florida toll-free: 1(800)432-2045, ext. 6207.

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: District Clerk’s Office, (561)682-6805. 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).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Continuing Education Rules Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 21, 2017, 10:00 a.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. To participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is 1(888)392-4560; contact: Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF HEALTH

The Department of Health Alzheimer's Disease Research Grant Advisory Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 28, 2017, 3:00 p.m. – 4:00 p.m.

PLACE: Conference call: 1(888)670-3525, participant code: 5311418626

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The agenda includes discussion of the Annual Report, vacant board positions, updates to the 2017-2018 Fiscal Year Funding Opportunity Announcement, and the research agenda.

A copy of the agenda may be obtained by contacting: Dr. Dinithia Sampson, (850)245-4444, ext. 2937, Dinithia.Sampson@flhealth.gov.

For more information, contact: Dr. Dinithia Sampson, (850)245-4444, ext. 2937, Dinithia.Sampson@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Florida Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 21, 2017, 1:00 p.m., ET; this call is the 3rd Tuesday of odd months

PLACE: Telephone conference: US toll-free: 1(888)670-3525, participant code: 1043560135 then #; please call or email with any questions or concerns.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Strategic Visions.

A copy of the agenda may be obtained by contacting: Bonnie Anderson, (850)245-4440, ext. 2686, Bonnie.Anderson@flhealth.gov.

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 3 days before the workshop/meeting by contacting: Bonnie Anderson. 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).

For more information, you may contact: Bonnie Anderson, (850)245-4440, ext. 2686, Bonnie.Anderson@flhealth.gov.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 11, 2017, 10:30 a.m.

PLACE: WebEx and Conference Call - please contact FAJUA for information

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The Operating Committee will review the proposed changes to the FAJUA Manual for recommendation to the Board of Governors and any other matters that may come before the Committee.

A copy of the agenda may be obtained by contacting: Sharon Neal, 1425 Piedmont Drive, East, Suite 201-A, Tallahassee, Florida 32308, (850)681-2003, sneal@fajua.org.

FLORIDA DEVELOPMENT FINANCE CORPORATION

The Board of Directors for the Florida Development Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 15, 2017, 2:00 p.m.

PLACE: Enterprise Florida, Inc., South Conference Room, 800 N. Magnolia Avenue, Suite 1100, Orlando, Florida 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- Meeting Minutes: February 21, 2017

- Bond Resolution No. 17-02 – Southwest Charter Foundation, Inc.

- Other Business / Project Updates

A copy of the agenda may be obtained by contacting: Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658.

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 1 day before the workshop/meeting by contacting: Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658.

SOUTH FLORIDA COMMUNITY CARE NETWORK

The South Florida Community Care Network, LLC d/b/a Community Care Plan announces a public meeting to which all persons are invited.

DATE AND TIME: March 9, 2017, 4:00 p.m.: CANCELLED
 PLACE: South Florida Community Care Network, LLC, 1643 Harrison Parkway, Bldg. H, Suite 200, Sunrise, Florida 33323
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Members to discuss general matters is cancelled.
 For more information or a copy of the agenda, you may contact D. Ty Jackson, Esq., counsel for South Florida Community Care Network, LLC, at ty.jackson@gray-robinson.com or (850)577-9090.

SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.
 DATE AND TIME: Thursday, March 16, 2017, 9:30 a.m.
 PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., #102, Florida City
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to the Board of Supervisors, Ag Lab Report, MIL Report, and District Projects.
 A copy of the agenda may be obtained by contacting: Debrah Van Weest, (305)242-1288
 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 1 days before the workshop/meeting by contacting: SDSWCD, (305)242-1288. 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).
 For more information, you may contact: Cooper McMillian, (305)242-1288.

POLK REGIONAL WATER COOPERATIVE

The Polk Regional Water Cooperative announces a public meeting to which all persons are invited.
 DATE AND TIME: Thursday, March 16, 2017, 2:00 p.m.
 PLACE: Chain O'Lakes Complex, South Entrance, Poolside Room, 210 Cypress Gardens Boulevard, Winter Haven, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Polk Regional Water Cooperative will meet to hold a regularly scheduled meeting to address subjects dealing with water conservation, project selection, funding, planning, and development, all as provided

within the Interlocal Agreement creating the Cooperative. The meeting is open to the public.
 Copies of the meeting agenda are available in the Documents & Agendas section of the Cooperative's website: www.prcwater.org or may be obtained by writing to the Polk Regional Water Cooperative, c/o Polk County Manager, Attn: Diane Pannebaker, P.O. Box 9005, Drawer CA01, Bartow, Florida, 33831-9005 or by calling Diane Pannebaker at (863)534-6444.
 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 48 hours before the workshop/meeting by contacting: Polk County Communications Office, located in the Neil Combee Administration Building, 330 West Church Street in Bartow, (863)534-6090. 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).
 If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.
 For more information, you may contact: Gene Heath, Coordinator, Polk Regional Water Cooperative, (813)920-0180, GeneHeath@PRWCwater.org.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC
 The Florida Department of Transportation (FDOT) District Six announces a public meeting to which all persons are invited.

DATE AND TIME: March 23, 2017, 5:00 p.m. – 7:00 p.m.
 PLACE: Sugarloaf Fire Station, 17097 Overseas Hwy., Sugarloaf Key, FL 33042
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for two landscape projects along State Road (SR) 5/Overseas Highway at Sugarloaf from Mile Marker (MM) 15.46 to MM 20.14 and at Cudjoe Key from MM 20.42 to MM 23.48, in Miami-Dade County, to discuss the project's scope of work. The project identification numbers are 436466-1-52-01 and 436467-1-52-01. The meeting will be an open house, from 5:00 p.m. to 7:00 p.m. Graphic displays will be shown and FDOT representatives will be available to discuss the project and answer questions.
 A copy of the agenda may be obtained by contacting: Public Information Specialist Dean Walters at (305)294-1238, Dean@swcinc.net.
 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: Jeannine Gaslonde, (305)470-5225, in writing at FDOT, 1000 NW 111 Avenue, Miami, FL 33172, or by email: Jeannine.Gaslonde@dot.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).

For more information, you may contact: Public Information Specialist Dean Walters, (305)294-1238, Dean@swcinc.net.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF HEALTH

Board of Medicine

NOTICE IS HEREBY GIVEN THAT on March 8, 2017, the Board of Medicine issued a Final Order on the petition for declaratory statement filed on behalf of MGPAA FL CORP. The Notice of the Petition was published in Volume 42, No. 171, the September 1, 2016, issue of the Florida Administrative Register. The Board reviewed the Petition at its meeting held on November 4, 2016. The Board's Final Order finds that to determine the effect of the recent deletion of Section 458.347(7)(b)1., F.S., on the foreign medical graduate physician assistants who were originally licensed under that provision would be a statement of broad general applicability and not appropriate for determination by declaratory statement. Further, there is no longer a statutory provision on which to opine. For these reasons the Board denied the Petition for Declaratory Statement. A copy of the Final Order may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has received the petition for declaratory statement from Marlin 1, LLC. The petition seeks the agency's opinion as to the applicability of Chapter 516, Florida Statutes, as it applies to the petitioner.

On March 7, 2017, the Office of Financial Regulation (Consumer Finance) received a Petition for declaratory statement from Marlin 1 LLC. Marlin 1 LLC is contemplating starting a private lending company that would provide short-term loans not exceeding \$25,000 at a interest rate of 18% per annum, to both individuals and small businesses. The petition seeks a declaratory statement from the Office on whether a consumer finance license pursuant to Chapter 516, Florida Statutes would be required. The petition seeks the Office's

interpretation on the following: 1. A Consumer Finance Loan for purposes of Section 516.01 is a loan that is both (a) for an amount of less than Twenty-Five Thousand Dollars (\$25,000); and (b) for an interest rate of greater than eighteen percent (18%) per annum. Thus, for example, our client will not be considered to be making Consumer Finance Loans, regardless of the amount of the loan, so long as the interest rate is eighteen percent (18%) per annum or less. 2. There is no state licensing requirement in Florida for a person or entity that provides loans to consumers that do not fit the parameters of Section 516.01. In other words, our client would not need a Florida license to provide a loan to a consumer if the loan in question does not fit the parameters of Section 516.01. 3. The licensing requirements of Section 516 do not apply to loans made to businesses (e.g., florists, dentists, contractors, etc.). Is there a licensing requirement comparable to Section 516 that would apply to the making of loans to small businesses? 4. The limitations on finance charges and maximum rates of interest set forth in Section 516.031 apply only to loans that qualify as Consumer Finance Loans under Section 516. The statute appears to be silent, however, about a loan that is not a Consumer Finance Loan. Thus, we would like clarification as to whether a loan to a consumer would be considered a Consumer Finance Loan, despite the fact that it is for less than Twenty-Five Thousand Dollars (\$25,000), at eighteen percent (18%) interest, because it provides for a higher rate of interest upon default and/or the imposition of late fees.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

Section VIII Notice of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8:00 a.m., Thursday, March 2, 2017 and 3:00 p.m., Wednesday, March 8, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
5L-1.001	3/3/2017	3/23/2017
5L-1.002	3/3/2017	3/23/2017
5L-1.003	3/3/2017	3/23/2017
5L-1.004	3/3/2017	3/23/2017
5L-1.005	3/3/2017	3/23/2017
5L-1.006	3/3/2017	3/23/2017
5L-1.007	3/3/2017	3/23/2017

5L-1.008	3/3/2017	3/23/2017
5L-1.009	3/3/2017	3/23/2017
5L-1.010	3/3/2017	3/23/2017
5L-1.011	3/3/2017	3/23/2017
5L-1.012	3/3/2017	3/23/2017
5L-1.013	3/3/2017	3/23/2017
5L-1.014	3/3/2017	3/23/2017
5L-1.015	3/3/2017	3/23/2017
5L-1.016	3/3/2017	3/23/2017
5L-1.017	3/3/2017	3/23/2017
5L-1.018	3/3/2017	3/23/2017
5L-1.019	3/3/2017	3/23/2017
40A-44.051	3/7/2017	3/27/2017
40A-44.052	3/7/2017	3/27/2017
40A-44.091	3/7/2017	3/27/2017
40A-44.101	3/7/2017	3/27/2017
40A-44.331	3/7/2017	3/27/2017
40A-44.341	3/7/2017	3/27/2017
40A-44.351	3/7/2017	3/27/2017
40D-8.624	3/2/2017	3/22/2017
58M-2.011	3/3/2017	3/23/2017
60Y-1.002	3/6/2017	3/26/2017
61G4-16.005	3/6/2017	3/26/2017
64B5-9.010	3/2/2017	3/22/2017
69D-1.003	3/7/2017	3/27/2017

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

Rule No.	File Date	Effective Date
40B-9.021	12/21/2016	**/**/****
40B-9.041	12/21/2016	**/**/****
40B-9.126	12/21/2016	**/**/****

40B-9.131	12/21/2016	**/**/*****
40B-9.1381	12/21/2016	**/**/*****
40B-9.1411	12/21/2016	**/**/*****
40B-9.142	12/21/2016	**/**/*****
40B-9.145	12/21/2016	**/**/*****
40B-9.123	12/9/2016	**/**/*****
58M-2.009	2/9/2017	**/**/*****
60FF1-5.009	7/21/2016	**/**/*****
64B8-9.009	6/15/2016	**/**/*****
64B8-10.003	12/9/2015	**/**/*****
69L-7.100	12/19/2016	**/**/*****
69L-7.501	12/19/2016	**/**/*****

Section XIII Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
