

ORIGINAL

DOCKET NO. 960623-EI

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
97 OCT -9 AM 10:53

CERTIFICATION OF
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES
FILED WITH THE
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and;

(a) Are filed not more than 90 days after the notice;

ACK _____ or

AFA _____

APP _____

CAF _____

CMU _____ or

CTR _____

EAG _____

LEG _____

LIN _____

CPC _____ of change; or

RCH _____

SEC _____

WAS _____

OTH _____

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending;

(c) Are filed more than 90 days after the notice, but not less than 21 days from the date of publication of the notice

(d) Are filed more than 90 days after the notice, but

DOCUMENT NUMBER-DATE

10455 OCT 13 6

FPSC-RECORDS/REPORTING

within 21 days after the adjournment of the final public hearing on the rule; or

✓ (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

✓ (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

✓ (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Nos.

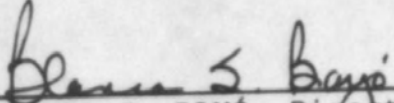
25-6.077

25-6.078

25-6.082

Under the provision of subparagraph 120.54(3)(e)6., F.S.,
the rules take effect 20 days from the date filed with the
Department of State or a later date as set out below:

Effective: _____
(month) (day) (year)



BLANCA S. BAYÓ, Director
Division of Records & Reporting

Number of Pages Certified

(S E A L)

CTM

1 25-6.077 Installation of Underground Distribution Systems
2 Within New Subdivisions.

3 (1) When required. After acceptance by the utility of a
4 proper application the utility shall define the geographical area
5 described and entailed by said application a "Designated
6 Underground Area." The utility shall design and install a
7 suitable underground electric distribution system with sufficient
8 capacity and suitable materials which, in its judgment, will
9 assure that the applicant will receive reasonably safe and
10 adequate electric service for the reasonably foreseeable future.

11 (2) Facilities required to be underground.

12 (a) All service, secondary, and primary distribution
13 conductors with the possible exception of feeder mains shall be
14 underground. Appurtenances such as transformers, pedestal
15 mounted terminals, switching equipment, and meter cabinets may be
16 placed above ground at the discretion of the utility.

17 (b) At the option of the applicant and subject to
18 requirements of governmental authorities and Rule 25-6.078, new
19 feeder mains or portions thereof required to supply service
20 within the subdivision, supply location distribution, or to serve
21 spot loads may be either overhead or underground.

22 (3) Service connection. The service connection to the
23 building will normally be at or near the part of the building
24 nearest the point at which the underground secondary electric
25 supply is available to the property to be served. If the service

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1 connection point selected on any building requires the
2 installation of a service lateral in excess of ~~seventy five (75)~~
3 feet, then the applicant may be required to pay for the service
4 lateral and installation in excess of ~~seventy five (75)~~ feet in
5 accordance with the utility's tariff rules and regulations on
6 file with the Commission; except as provided under Rule
7 25-6.078 (6) ~~(5)~~ herein.

8 Specific Authority: 366.05(1), F.S.

9 Law Implemented: 366.03, 366.04(6), 366.041(1)(4), 366.05(1),
10 366.06(1), F.S.

11 History: New 4/10/71, Amended 4/13/80, 2/12/84, formerly
12 25-6.77, Amended.

13

14 25-6.078 Schedule of Charges.

15 (1) Each utility shall file with the Commission ~~within 60~~
16 ~~days of the applicability of this rule~~ a written policy that
17 shall become a part of the utility's tariff rules and
18 regulations. Such policy shall be subject to review and approval
19 of the Commission and shall include an Estimated Average Cost
20 Differential, if any, and shall state ~~indicate~~ the basis upon
21 which the utility will provide underground service and its method
22 for recovering the difference in cost of an underground system
23 and an equivalent overhead system from the applicant at the time
24 service is extended. The charges to the applicant shall be not
25 more than the estimated difference in cost of an underground

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1 | system and an equivalent overhead system.

2 | (2) On or before October 15th of each year each utility
3 | shall file with the Commission's Division of Electric and Gas
4 | Form PSC/EAG 13, Schedule 1, using current material and labor
5 | costs. If the cost differential as calculated in Schedule 1
6 | varies from the Commission-approved differential by plus or minus
7 | 10 percent or more, the utility shall file a written policy and
8 | supporting data and analyses as prescribed in sections (1), (3),
9 | and (4) of this rule on or before April 1 of the following year;
10 | however, each utility shall file a written policy and supporting
11 | data and analyses at least once every three years.

12 | (3) Differences in operating and maintenance costs between
13 | underground and overhead systems, if any, may be taken into
14 | consideration in determining the overall Estimated Average Cost
15 | Differential.

16 | ~~(4)(3)~~ Detailed supporting data and analyses study
17 | ~~results~~ used to determine the Estimated Average Cost Differential
18 | for underground and overhead distribution systems shall be
19 | concurrently filed by the utility with the Commission and shall
20 | be updated ~~annually~~ using cost data developed from the most
21 | recent 12-month period. The utility shall record these data and
22 | analyses on Form PSC/EAG 13 (/). Form PSC/EAG 13, entitled
23 | "Overhead/Underground Residential Differential Cost Data" is
24 | incorporated by reference into this rule and may be obtained from
25 | the Division of Electric and Gas, 2540 Shumard Oak Boulevard.

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~~struck-through~~ type are deletions from existing law.

1 Tallahassee, Florida 32399-0850, 904/413-6700.

2 ~~(5)(4)~~ ~~Subject to the provisions of Rule 25 6.079(a),~~
3 Service for a new multiple-occupancy building shall be
4 constructed underground within the property to be served to the
5 point of delivery at or near the building by the utility at no
6 charge to the applicant, provided the utility is free to
7 construct its service extension or extensions in the most
8 economical manner.

9 ~~(6)(5)~~ The ~~method of recovering~~ of the cost differential
10 as filed by the utility and approved by the Commission may not be
11 waived or refunded unless it is mutually agreed by the applicant
12 and the utility that the applicant will perform certain work as
13 defined in the utility's tariff ~~do all of the trenching and~~
14 ~~backfilling~~, in which case the applicant shall receive a credit,
15 ~~per trench foot for each foot of trenching and backfilling~~
16 ~~provided by him in accordance with provisions~~ Provision for the
17 credit shall be set forth in the utility's tariff rules and
18 regulations, and shall ~~such credit to~~ be no more in amount than
19 the total charges applicable.

20 ~~(7)(6)~~ The difference in cost as determined by the
21 utility in accordance with its tariff shall be based on
22 ~~reasonably~~ full use of the subdivision for building lots or
23 multiple-occupancy buildings. If any given subdivision is
24 designed to include large open areas, the utility or the
25 applicant may refer the matter to the Commission for a special

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1 | filing as provided under Rule 25-6.083.

2 | ~~(8)(7)~~ The utility shall not be obligated to install any
3 | facilities within a subdivision until satisfactory arrangements
4 | for the construction of facilities and payment of applicable
5 | charges, if any, have been completed between the applicant and
6 | the utility by written agreement. A standard agreement form
7 | shall be filed with the company's tariff.

8 | ~~(9)(8)~~ Nothing herein contained shall be construed to
9 | prevent any utility from assuming all cost differential of
10 | providing underground distribution systems, provided, however,
11 | that such assumed cost differential shall not be chargeable to
12 | the general body of rate payers, and any such policy adopted by a
13 | utility shall have uniform application throughout its service
14 | area.

15 | Specific Authority: 366.04(2)(f), 366.05(1), F.S.

16 | Law Implemented: 366.03, 366.041(1)(4), 366.04(2)(f), 366.06(1),
17 | F.S.

18 | History: New 4/10/71, Amended 4/13/80, 2/12/84, formerly
19 | 25-6.78, Amended.

20 |

21 | 25-6.082 Records and Reports.

22 | (1) To insure the development and availability of
23 | appropriate data necessary to satisfy the ~~annual~~ reporting
24 | requirements of Rule 25-6.078~~(2)~~ herein, each utility shall will
25 | ~~undertake to establish and maintain~~ separate records or

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1 | sub-accounts for underground distribution construction, operation
2 | and maintenance costs.

3 | (2) Records shall also be maintained of experienced results
4 | obtained in the use of joint trenching, in such manner and detail
5 | as will afford an opportunity to evaluate the economies available
6 | using this practice.

7 | Specific Authority 366.04(2)(f), 366.05(1), F.S.

8 | Law Implemented: 366.03, 350.115, 366.04(2)(a)(f), F.S.

9 | History: New 4/10/71, formerly 25-6.82, Amended .

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CERTIFICATION OF
PUBLIC SERVICE COMMISSION
FORM INCORPORATED BY REFERENCE IN RULE 25-6.078
FILED WITH THE DEPARTMENT OF STATE

Pursuant to Rule 1S-1.005, Florida Administrative Code, I hereby certify that the attached is a true and complete copy of Form PSC/EAG 13 (10/97), "Electric Utility Overhead/Underground Residential Differential Cost Data", which is incorporated by reference in Rule 25-6.078, Florida Administrative Code.

Under the provision of subparagraph 120.54(3)(e)6., F.S., the incorporated material takes effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: _____
(month) (day) (year)

Blanca S. Bayo
BLANCA S. BAYO, Director
Division of Records & Reporting

Number of Pages Certified



CTM

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
97 OCT -9 AM 10:54
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ELECTRIC UTILITY OVERHEAD/UNDERGROUND
RESIDENTIAL DIFFERENTIAL COST DATA

FOR _____
(Name of Company)

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
57 OCT -9 AM 10:54
FILED

Florida Public Service Commission
Form PSC/EAG 13
(/97)

PSC/EAG FORM 13 FOR REPORTING
 THE OVERHEAD/UNDERGROUND RESIDENTIAL DIFFERENTIAL COST DATA
RULES 25-6.074 THROUGH 25-6.083

Schedule No.	<u>Title</u>	<u>Page</u>
1-4	Low Density - 210 Lot Subdivision	
1	Overhead vs. Underground Summary Sheet	2
2	Cost Per Service Lateral Overhead Material and Labor	3
3	Cost Per Service Lateral and Underground Material and Labor	4
4	Low Density - 210 Lot Subdivision Typical Layout for both Overhead and Underground Designs	5
5-11	High Density - 176 Lot Subdivision	
5	Overhead vs. Underground Summary Sheet (Company Owned Service Laterals)	6
6	Cost per Service Lateral Overhead Material and Labor (Company Owned Service Laterals)	7
7	Cost per Service Lateral Underground Material and Labor (Company Owned Service Laterals)	8
8	Overhead vs. Underground Summary Sheet (Customer Owned Service Laterals from Meter Centers)	9
9	Cost Per Dwelling Unit Overhead Material and Labor (Customer Owned Service Laterals from Meter Centers)	10
10	Cost Per Dwelling Unit Underground Material and Labor (Customer Owned Service Laterals from Meter Centers)	11
11	High Density - 176 Lot Subdivision Layouts for both Overhead and Underground Designs	12
12	Average Underground Feeder Costs	13
13	Actual Operating and Maintenance Distribution Expenses for Overhead and Underground	14
14	Signature Page	15

Notes:

- Mark all schedules from 2 through 13 which do not apply to the current filing as not applicable. Attach additional sheets for clarification and justification if necessary.
 - The signature page, Schedule 14, must be filed with every filing.
- PSC/EAG Form 13 (xx/xx)

COMPANY: _____

DATE: _____

OVERHEAD VS. UNDERGROUND SUMMARY SHEET

- Low Density 210 Lot Subdivision -
- Cost per Service Lateral -

ITEM	OVERHEAD	UNDERGROUND	DIFFERENTIAL
Labor			
Material			
O&M(Optional)			
TOTAL			

COMPANY: _____

DATE: _____

COST PER SERVICE LATERAL OVERHEAD MATERIAL AND LABOR

- Low Density 210 Lot Subdivision -

ITEM	MATERIAL ¹	LABOR ⁴	TOTAL
Service ²			
Primary			
Secondary			
Initial Tree Trim			
Poles			
Transformers			
Subtotal			
Stores Handling ³			
Subtotal			
Engineering ⁵			
TOTAL			

¹Includes Sales Tax

²Includes _____.

³_____ % of _____.

⁴Includes _____.

⁵_____ % of _____.

_____ % of _____.

COMPANY: _____

DATE: _____

COST PER SERVICE LATERAL UNDERGROUND MATERIAL AND LABOR

- Low Density 210 Lot Subdivision -

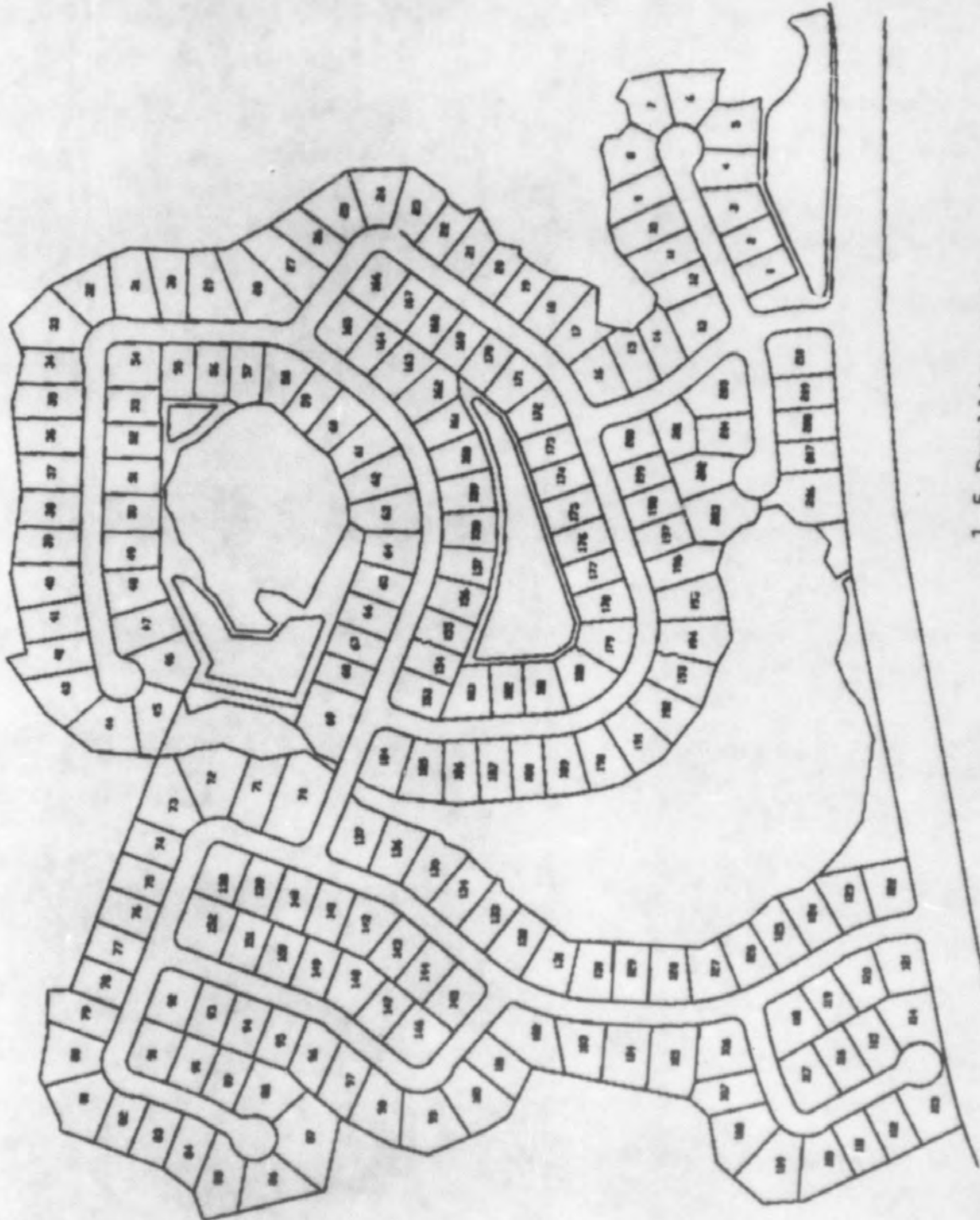
ITEM	MATERIAL ¹	LABOR ⁴	TOTAL
Service ²			
Primary			
Secondary			
Transformers			
Primary Trenching			
Secondary Trenching			
Service Trenching			
Subtotal			
Stores Handling ³			
Subtotal			
Engineering ⁵			
TOTAL			

¹Includes Sales Tax
²Includes _____
³_____% of _____
⁴Includes _____
⁵_____% of _____
_____% of _____

COMPANY: _____

DATE: _____

LOW DENSITY - 210 LOT SUBDIVISION TYPICAL LAYOUT
for both Overhead and Underground Designs



1.5 Dwelling Units per Acre

COMPANY: _____

DATE: _____

OVERHEAD VS. UNDERGROUND SUMMARY SHEET

- High Density 176 Lot Subdivision -
- Company Owned Service Laterals -
- Cost per Service Lateral -

ITEM	OVERHEAD	UNDERGROUND	DIFFERENTIAL
Labor			
Material			
O&M(Optional)			
Total			

COMPANY: _____

DATE: _____

COST PER SERVICE LATERAL OVERHEAD MATERIAL AND LABOR

- High Density 176 Lot Subdivision -
- Company Owned Service Laterals -

ITEM	MATERIAL ¹	LABOR ⁴	TOTAL
Service ²			
Primary			
Secondary			
Initial Tree Trim			
Poles			
Transformers			
Subtotal			
Stores Handling ³			
Subtotal			
Engineering ⁵			
TOTAL			

¹Includes Sales Tax

²Includes _____.

³_____ % of _____.

⁴Includes _____.

⁵_____ % of _____.

_____ % of _____.

COMPANY: _____

DATE: _____

COST PER SERVICE LATERAL UNDERGROUND MATERIAL AND LABOR

- High Density 176 Lot Subdivision -
- Company Owned Service Laterals -

ITEM	MATERIAL ¹	LABOR ⁴	TOTAL
Service ²			
Primary			
Secondary			
Transformers			
Primary Trenching			
Secondary Trenching			
Service Trenching			
Subtotal			
Stores Handling ³			
Subtotal			
Engineering ⁵			
TOTAL			

¹Includes Sales Tax

²Includes _____.

³_____ % of _____.

⁴Includes _____.

⁵_____ % of _____.

_____ % of _____.

COMPANY: _____

DATE: _____

OVERHEAD VS. UNDERGROUND SUMMARY SHEET

- High Density 176 Lot Subdivision -
- Customer Owned Service Laterals -
 - from Meter Centers -
 - Cost per Dwelling Unit -

ITEM	OVERHEAD	UNDERGROUND	DIFFERENTIAL
Labor			
Material			
O&M(Optional)			
Total			

COMPANY: _____

DATE: _____

COST PER DWELLING UNIT OVERHEAD MATERIAL AND LABOR

- High Density 176 Lot Subdivision -
- Customer Owned Service Laterals -
- from Meter Centers -

ITEM	MATERIAL ¹	LABOR ⁴	TOTAL
Service ²			
Primary			
Secondary			
Initial Tree Trim			
Poles			
Transformers			
Subtotal			
Stores Handling ³			
Subtotal			
Engineering ⁵			
TOTAL			

¹Includes Sales Tax

²Includes _____ .

³ _____ % of _____ .

⁴Includes _____ .

⁵ _____ % of _____ .

_____ % of _____ .

COMPANY: _____

DATE: _____

COST PER DWELLING UNDERGROUND MATERIAL AND LABOR

- High Density 176 Lot Subdivision -
- Customer Owned Service Laterals -
- from Meter Centers -

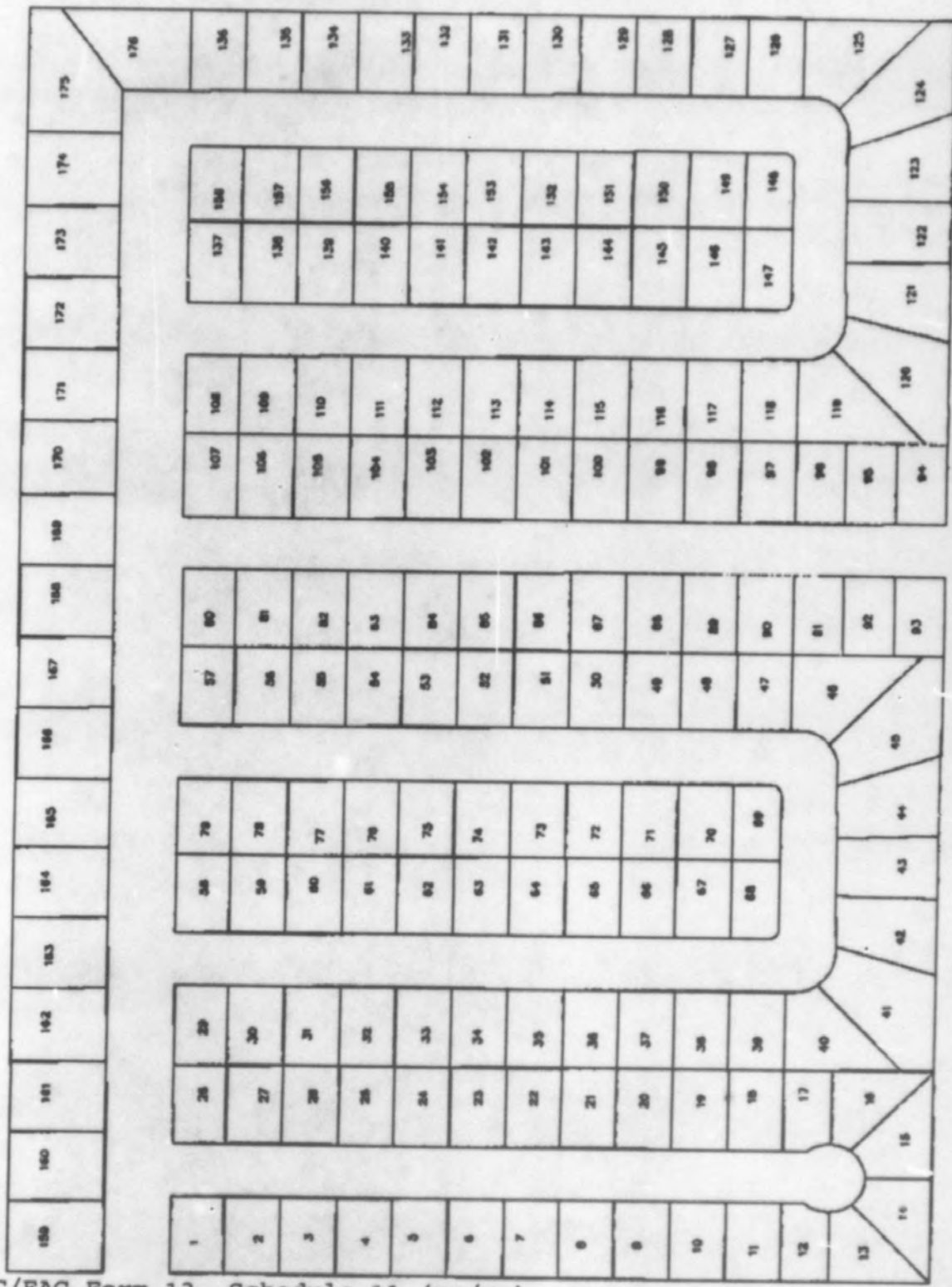
ITEM	MATERIAL ¹	LABOR ⁴	TOTAL
Service ²			
Primary			
Secondary			
Transformers			
Primary Trenching			
Secondary Trenching			
Service Trenching			
Subtotal			
Stores Handling ³			
Subtotal			
Engineering ⁵			
TOTAL			

¹Includes Sales Tax
²Includes _____
³_____ % of _____
⁴Includes _____
⁵_____ % of _____
 _____ % of _____

COMPANY: _____

DATE: _____

HIGH DENSITY - 176 LOT SUBDIVISION TYPICAL LAYOUT
for both Overhead and Underground Designs



7.5 Dwelling Units per Acre

PSC/EAG Form 13, Schedule 11 (xx/xx)

COMPANY: _____

DATE: _____

AVERAGE UNDERGROUND FEEDER COSTS

Underground
\$/Ft... _____

Overhead
\$/Ft... _____

Difference
\$/Ft.. _____

COMPANY: _____

DATE: _____

ACTUAL OPERATING & MAINTENANCE DISTRIBUTION EXPENSES
IN YEAR _____
for Overhead and Underground

AMOUNT

Account 583 Overhead Line Expenses

Account 584 Underground Line Expenses

Account 593 Maintenance of Overhead Lines

Account 594 Maintenance of Underground Lines

Account 595 Maintenance of Line Transformers

Total

\$ _____

The accounts shall be in accordance with the Federal Energy Regulatory Commission's Uniform System of Accounts for Public Utilities and Licensees, Code of Federal Regulations, Title 18, Subchapter C, Part 101, as adopted and as modified by Rule 25-6.014, F.A.C.

SIGNATURE PAGE

I certify that I am the person responsible for submitting Form PSC/EAG 13 and that I have examined the attached schedule(s); that to the best of my knowledge, information, and belief, all statements of fact contained in the schedule(s) are true.

I am aware that Section 837.06, Florida Statutes, provides:

Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provides in s. 775.082 and s. 775.083.

Date

Signature

Name

Title, Company Name

Rules 25-6.077, 25-6.078
and 25-6.082
Docket No. 960623-EI

FILED
97 OCT -9 AM 10:54
TALLAHASSEE FLORIDA
STATE

SUMMARY OF RULE

The revision of Rules 25-6.077, 25-6.078 and 25-6.082, F.A.C., change the requirement for investor-owned electric utilities to file annual updates to the underground residential distribution tariffs. A full filing is required once every three years, provided that an abbreviated filing made every year shows that the existing tariff would not change by more than 10 percent. The proposed changes also incorporate by reference Form PSC/EAG 13, which is used to file updates to the tariffs. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The proposed rule changes resulted from a joint petition to initiate rulemaking filed by the four major investor-owned electric utilities on May 21, 1996. The petition requested amendments to Rules 25-6.078(3) and 25-6.082(1) to allow the utilities to update their underground residential distribution tariffs every three years, instead of the existing requirement that they be updated every year. These tariffs contain standard

one-time charges for new residential customers who request optional underground service, in lieu of the standard overhead service. The charges in the tariffs represent the estimated average difference in cost between underground and overhead service which must be paid by the customer.

Under the existing rules, the charges must be updated every year by the four major investor-owned electric utilities. This update entails the filing of extensive cost data and engineering analyses that develop and justify the proposed new rates for underground service. The utilities stated that since the differential cost of underground service has been relatively stable for several years, it is not necessary to incur the time and expense of updating the charges every year. In order that significant changes in the differentials due to technology change or other factors are reflected in rates as rapidly as under the existing rule, however, the rule as proposed for amendment provides for an annual but abbreviated report. This filing would require substantially less analysis than the full filing which is now required annually. If the new abbreviated filing shows a change of 10 percent or more, then the full filing is required. The rule amendment also requires that a full filing be made every three years, regardless of the estimated differential.