

ORIGINAL

NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 050591-TP

RULE TITLE: RULE NO.:

Design and Construction of Plant 25-4.036

PURPOSE AND EFFECT: To amend the rule to reference the most recent edition of the National Electrical Code. As Rule 25-4.036 is incorporated by reference into Rules 25-24.585, 25-24.740 and 25-24.835, F.A.C., the proposed amendments, in addition to incumbent local exchange carriers, also affect shared tenant service companies, alternative access vendor service companies and competitive local exchange companies.

SUMMARY: Rule 25-4.036 requires that the plant and facilities of regulated companies be designed, constructed, installed, maintained, and operated in accordance with the provisions of the National Electrical Code. The proposed amendments would update the rule to reflect the 2005 edition of the Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The proposed rule amendment should not significantly impact the agency, the industry, cities, counties, or small businesses.

- CMP _____
- COM _____ Any person who wishes to provide information regarding the statement of estimated regulatory
- CTR _____ costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within
- ECR _____
- GCL _____ 21 days of this notice.
- OPC _____ SPECIFIC AUTHORITY: 350.127(2), FS
- RCA _____
- SCR _____ LAW IMPLEMENTED: 364.01(4), 364.03, FS
- SGA _____
- SEC 1
- OTH _____

DOCUMENT NUMBER-DATE

10393 OCT 26 05

FPSC-COMMISSION CLERK

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

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

THE PERSON TO BE CONTACTED REGARDING THE THESE PROPOSED RULE IS:

Samantha Cibula, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6245.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.036 Design and Construction of Plant.

(1) The plant and facilities of the utility shall be designed, constructed, installed, maintained and operated in accordance with provisions ~~of the 2002 Edition~~ of the National Electrical Safety Code (IEEE C2-2002) and the National Electrical Code (NFPA ~~70-2005~~~~70-2002~~), pertaining to the construction of telecommunications facilities.

(2) No change.

Specific Authority 350.127(2) FS.

Law Implemented 364.01(4), 364.03 FS.

History—Revised 12-1-68, Amended 4-19-77, Formerly 25-4.36, Amended 2-5-86, 3-26-91, 5-3-94, 12-23-02.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ray Kennedy

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission

DATE PROPOSED RULE APPROVED: October 18, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 31,
Number 20, May 20, 2005

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

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Submit FAW Notices

Step 5: Acknowledgement of Submittal

The Administrative Code and Weekly Unit has received your notice for publication in the FAW.

A confirmation number has been provided below which may be used to reference this submittal in any communications with the Unit. Use the your browser *'Print'* button or the *'Print this Acknowledgement'* button at the bottom of this page to generate a receipt for your records. A record of this transmittal will be maintained for approximately 30 days and may be accessed from the 'Submittal Listing' item in the FAW Online menu on the left of this page.

Confirmation No	Proposed2837
Submitted On	10/26/2005 10:59:52 AM
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Department	Public Service Commission
Division	
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