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STATE OF FLORIDA



MARY ANNE HELTON
INTERIM GENERAL COUNSEL
(850) 413-6096

Public Service Commission

April 22, 2025

Alexandra Leijon, Director
Florida Department of State
Administrative Code and Register Section
400 S. Monroe Street,
Room 701, The Capitol
Tallahassee, FL 32399-0250
RuleAdoptions@DOS.MyFlorida.com

VIA E-MAIL

COMMISSION
CLERK

2025 APR 23 AM 9:25

RECEIVED-FPSC

Re: Rule Certification Packet for Rules 25-6.034 and 25-6.0345, F.A.C.

Dear Ms. Leijon:

Enclosed for filing is a complete rule certification packet for Rules 25-6.034 and 25-6.0345, F.A.C. consisting of:

- (1) One copy of the signed rule certification form;
- (2) One copy of the signed designation of minor violation rule certification form required by Rule 1-1.010, F.A.C.;
- (3) One copy of the coded text of the rules, including the legal citations, and history notes;
- (4) One copy of the summary of the rules;
- (5) One copy of the detailed written statement of the facts and circumstances justifying the rules;
- (6) One copy of the summary of the hearings held on the rules;
- (7) One copy of the certification form required by Rule 1-1.013, F.A.C., for the copyrighted materials incorporated by reference that were delivered in their original form to the Department of State; and
- (8) One copy of the coded text of the rules in Word version.

Please let me know if you have any questions. The contact name and information for these rules are Jon Rubottom, Florida Public Service Commission, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6191, jrubotto@psc.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read 'JR', is positioned above the typed name.

Jon Rubottom
Senior Attorney

Enclosures: See above

cc: Office of the Commission Clerk (Docket No. 20250019-EU)

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

I hereby certify:

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

(2) That there is no administrative determination under Section 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 Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and

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

(b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 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; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the ombudsman in the Executive Office of the Governor.

The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

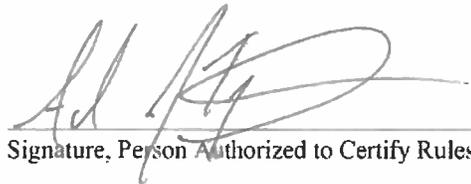
Rule Nos.

| | |
|-----------|--|
| 25-6.034 | |
| 25-6.0345 | |

Under the provision of Section 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 Date: _____

(month) (day) (year)



Signature, Person Authorized to Certify Rules

Commission Clerk

Title

1
Number of Pages Certified

**DESIGNATION OF RULES THE VIOLATION OF WHICH IS A MINOR VIOLATION
CERTIFICATION**

Pursuant to Section 120.695(2)(c)3, Florida Statutes, I certify as agency head, as defined by section 20.05(1)(b), Florida Statutes, that:

All rules covered by this certification are not rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.

The following parts of the rules covered by this certification have been designated as rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.:

Rule Nos.

Rules covered by this certification:

Rule Nos.

25-6.034

25-6.0345



Signature of Agency Head

Chairman, Florida Public Service Commission
Title

25-6.034 Standard of Construction.

(1) No change

(2) ~~For new construction, e~~Each utility shall, at a minimum, comply with the National Electrical Safety Code (NESC) ~~[ANSI C-2] [NESC]~~, incorporated by reference in Rule 25-6.0345, F.A.C.

~~(a) For facilities constructed on or after February 1, 2007, the 2007 NESC shall apply. A copy of the 2007 NESC, ISBN number 0-7381-4893-8, may be obtained from the Institute of Electric and Electronic Engineers, Inc. (IEEE), 3 Park Avenue, New York, NY, 10016-5997.~~

~~(b) Facilities constructed prior to February 1, 2007, shall be governed by the edition of the NESC specified by subsections 013.B.1, 013.B.2, and 013.B.3 of the 2007 NESC, incorporated by reference in Rule 25-6.0345, F.A.C. Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.04(2)(c), (f), (5), 366.05(1) FS. History—New 7-29-69, Amended 12-20-82, Formerly 25-6.34, Amended 2-1-07, _____.~~

25-6.0345 Safety Standards for Construction of New Transmission and Distribution Facilities.

The ~~safety standards prescribed~~ Commission adopts and incorporates by reference the ~~2023~~ 2017 National Electrical Safety Code (NESC) ~~C2-2023~~ C2-2017, ~~are adopted and incorporated by reference into this rule as the applicable safety standards for transmission and distribution facilities subject to the Commission's safety jurisdiction. Each investor-owned electric utility, rural electric cooperative, and municipal electric system shall, at a minimum, comply with the standards in these provisions. The 2023 2017 National Electrical Safety Code (NESC) C2-2023 C2-2017 is copyrighted and may be inspected and examined at no cost at the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at the Department of State, 400 S. Monroe Street, Room 701, the Capitol, Tallahassee, FL 32399. A copy of the NESC C2-2023 C2-2017 may also be obtained from the Institute of Electric and Electronic Engineers, Inc. (IEEE), 3 Park Avenue, New York, NY 10016-5997. Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.04(2), (6) FS. History—New 8-13-87, Amended 2-18-90, 11-10-93, 8-17-97, 7-16-02, 2-1-07, 12-16-12, 7-27-17, _____.~~

SUMMARY OF THE RULE

The rules incorporate and implement the National Electric Safety Code (NESC) to regulate the construction and safety standards for electric utility facilities.

WRITTEN STATEMENT OF THE FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The rules are being amended to incorporate by reference the most current version of the National Electric Safety Code (NESC) and to otherwise update the rule language for clarity and consistency.

SUMMARY OF ANY HEARINGS HELD ON THE RULE

No timely request for a hearing was received by the agency, and no hearing was held.

CERTIFICATION OF MATERIALS INCORPORATED

BY REFERENCE IN RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify pursuant to Rule 1-1.013, Florida Administrative Code, that materials incorporated by reference in Rule 25-6.0345 have been:

(1) Filed through the Department of State's e-rulemaking website at www.flrules.org.

(2) That because there would be a violation of federal copyright laws if the submitting agency filed the incorporated materials as described in option (1) above, a true and complete copy of the incorporated materials has been provided to the Department of State as outlined in paragraph 1-1.013(5)(c), F.A.C. Copies of the incorporated materials below may be obtained at the agency at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

List form number and form title, or title of document below:

2023 National Electric Safety Code (NESC) C2-2023

Under the provisions of Section 120.54(3)(e)6., F.S., the attached materials take effect 20 days from the date filed with the Department of State, or a later date as specified in the rule.



Signature, Person Authorized to Certify Rules

Commission Clerk

Title

COMMISSIONERS:
MIKE LA ROSA, CHAIRMAN
ART GRAHAM
GARY F. CLARK
ANDREW GILES FAY
GABRIELLA PASSIDOMO SMITH

STATE OF FLORIDA



MARY ANNE HELTON
INTERIM GENERAL COUNSEL
(850) 413-6096

Public Service Commission

April 17, 2025

Alexandra Leijon, Director
Florida Department of State,
Florida Administrative Code and Register
400 S. Monroe Street,
Room 701, The Capitol
Tallahassee, FL 32399-0250

VIA HAND DELIVERY

Re: Rule 25-6.0345, F.A.C., Copyright materials incorporated by reference

Dear Ms. Leijon:

Pursuant to Rule 1-1.013(5)(c), F.A.C., please find enclosed the following:

- (1) One copy of the certification form required by Rule 1-1.013, F.A.C., for the materials incorporated by reference;
- (2) A copy of the materials incorporated by reference into Rule 25-6.0345, F.A.C., submitted in their original form due to federal copyright laws.

We plan to file a rule certification package with the Department of State on April 22, 2025. Please let me know if you have any questions. The contact name and information for this rule are Jon Rubottom, Florida Public Service Commission, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6191, jrubotto@psc.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Rubottom".

Jon Rubottom
Senior Attorney

Adrijan 4/17/2025

Enclosures: See above

cc: Office of the Commission Clerk (Docket No. 20250019-EU)

CERTIFICATION OF MATERIALS INCORPORATED

BY REFERENCE IN RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify pursuant to Rule 1-1.013, Florida Administrative Code, that materials incorporated by reference in Rule 25-6.0345 have been:

(1) Filed through the Department of State's e-rulemaking website at www.flrules.org.

(2) That because there would be a violation of federal copyright laws if the submitting agency filed the incorporated materials as described in option (1) above, a true and complete copy of the incorporated materials has been provided to the Department of State as outlined in paragraph 1-1.013(5)(c), F.A.C. Copies of the incorporated materials below may be obtained at the agency at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

List form number and form title, or title of document below:

2023 National Electric Safety Code (NESC) C2-2023

Under the provisions of Section 120.54(3)(e)6., F.S., the attached materials take effect 20 days from the date filed with the Department of State, or a later date as specified in the rule.



Signature, Person Authorized to Certify Rules

Commission Clerk _____
Title



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

April 22, 2025

Jon Rubottom, Esq.
Senior Attorney
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

Dear Jon Rubottom:

Your adoption package for Rules 25-6.034 and .0345, F.A.C. was received, electronically, by the Florida Department of State, Administrative Code and Register at 1:50 p.m. on April 22, 2025. After review, it appears that the package meets statutory requirements and those of Rule 1-1.010, F.A.C. and is deemed filed for adoption at the time received, as indicated above. The effective date is May 12, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL

From: [Jon Rubottom](#)
To: [RuleAdoptions](#)
Subject: Rule Certification Packet for Rules 25-6.034 and 25-6.0345, F.A.C.
Date: Tuesday, April 22, 2025 1:50:19 PM
Attachments: [\[25-6.034 & .0345\] DOS Rule Certification Packet.pdf](#)
[Rules 25-6.034 & .0345 \[NPR coded text\].docx](#)

EMAIL RECEIVED FROM EXTERNAL
SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good afternoon:

Please see the rule certification materials for Rules 25-6.034 and 25-6.0345, F.A.C., attached to this email. The PDF file contains the complete Rule Certification Packet, and the Word document contains a copy of the coded text of the rules. I await your email confirming receipt of these documents.

Thank you,

Jon Rubottom

Senior Attorney

Appeals, Rules & Ethics Section

Office of the General Counsel

Florida Public Service Commission

Email: JRubotto@psc.state.fl.us

Phone: (850) 413-6191



PLEASE NOTE: Florida has broad public records laws. Written communications to or from the Florida Public Service Commission may be considered public records, which must be made available to anyone upon request. Your e-mail communications may therefore be subject to public disclosure.

BEN ALBRITTON
President



DANIEL PEREZ
Speaker



THE FLORIDA LEGISLATURE
**JOINT ADMINISTRATIVE
PROCEDURES COMMITTEE**

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Senator Erin Grall, Vice Chair
Senator Mack Bernard
Senator Don Gaetz
Senator Thomas J. "Tom" Leek
Senator Tina Scott Polsky
Senator Carlos Guillermo Smith
Senator Clay Yarborough
Representative William "Bill" Conerly
Representative Chad Johnson
Representative Kim Kendall
Representative Leonard Spencer
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Representative Meg Weinberger

KENNETH J. PLANTE
COORDINATOR
Room 680, Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1400
Telephone (850) 488-9110
Fax (850) 922-6934
www.japc.state.fl.us
japc@leg.state.fl.us

CERTIFICATION

Department: Public Service Commission
Agency:
Rule No(s): 25-6.034, .0345
File Control No: 195712

As required by subparagraph 120.54(3)(e)4 F.S., the Joint Administrative Procedures Committee hereby certifies that:

- There were no material and timely written comments or written inquiries made on behalf of the committee regarding the above listed rule; or
- The adopting agency has responded in writing to all material and timely written comments or written inquiries made on behalf of the committee regarding the above listed rules; or
- The adopting agency has not responded in writing to all material and timely written comments or written inquiries made on behalf of the Committee regarding the above listed rules.

Certification Date: 4/22/2025

This certification expires after: 4/29/2025

Certifying Attorney: Jamie Jackson

NOTE:

- The above certified rules include materials incorporated by reference.*
- The above certified rules do not include materials incorporated by reference.*