

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Proposed Amendment of) DOCKET NO. 940059-TP
Rule 25-4.036, F.A.C., Design) ORDER NO. PSC-94-0220-NOR-TP
and Construction of Plant) ISSUED: February 24, 1994
_____)

The following Commissioners participated in the disposition of this matter:

J. TERRY DEASON, Chairman
SUSAN F. CLARK
JULIA L. JOHNSON
DIANE K. KIESLING
LUIS J. LAUREDO

NOTICE OF RULEMAKING

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-4.036, F.A.C., relating to Design and Construction of Plant.

The attached Notice of Rulemaking will appear in the March 4, 1994 edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., May 5, 1994
Room 122, Fletcher Building
101 East Gaines Street
Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, FL 32399, no later than March 25, 1994.

By Direction of the Florida Public Service Commission, this 24th day of February, 1994.

STEVE TRIBBLE, Director
Division of Records & Reporting

(S E A L)

by: Kay Flynn
Chief, Bureau of Records

DOCUMENT NUMBER-DATE

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 940059-TP

RULE TITLE: RULE NO.:

Design and Construction of Plant 25-4.036

PURPOSE AND EFFECT: This rule is amended to update the versions of the National Electrical Safety Code and the National Electric Code that telecommunications companies are required to comply with in the design and construction of their facilities.

SUMMARY: Rule 25-4.036 requires telecommunications utilities to design and construct their plant and facilities in accordance with the provisions of the 1993 National Electrical Safety Code and the 1993 National Electric Code.

RULEMAKING AUTHORITY: 350.127(2), F.S.

LAW IMPLEMENTED: 364.03, F.S.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, 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 HELD AT THE DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., Thursday, May 5, 1994

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THIS RULE AND THE ECONOMIC IMPACT STATEMENT IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE 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 1993-1990 Edition of the National Electrical Safety Code (ANSI C2-1993-1990), except that Rule 350G of the safety code shall be effective for cable installed on or after January 1, 1996, and the National Electrical Code (NFPA 70-1993-1990), pertaining to the construction of telecommunications facilities.

(2) Compliance with these codes and accepted good practice is necessary to insure as far as reasonably possible continuity of service, uniformity in the quality of service furnished and the safety of persons and property.

Specific Authority: 350.127(2), F.S.

Law Implemented: 364.03, F.S.

History: Revised 12/1/68, Amended 4/19/77, Amended 2/5/86, Formerly 25-4.36, F.S., Amended 3/26/91, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rick Moses

NAME OF SUPERVISOR OR PERSON(S) WHO APPROVED THE PROPOSED RULE:
Florida Public Service Commission.

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DATE PROPOSED RULE APPROVED: February 15, 1994

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 Records and Reporting at (904) 488-8371 at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).