

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rules)	DOCKET NO. 890382-GU
25-12.005, 25-12.043, 25-12.044,)	ORDER NO. 21378
and 25-12.046, F.A.C.)	ISSUED: 6-14-89
)	

NOTICE OF RULEMAKING

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has initiated rulemaking to amend Rules 25-12.005, 25-12.043, 25-12.044, and 25-12.046, relating to gas safety.

The attached Notice of Rulemaking will appear in the June 16, 1989 edition of the Florida Administrative Weekly. If requested, a hearing will be held at the following time and place:

9:30 a.m., Friday, July 14, 1989
 Room 122, Fletcher Building
 101 East Gaines Street
 Tallahassee, Florida

Written requests for hearing and written comments or suggestions on the rules 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 July 7, 1989.

By Direction of the Florida Public Service Commission,
 this 14th day of JUNE, 1989.


 STEVE TRIBBLE, Director
 Division of Records & Reporting

(S E A L)

WHH

DOCUMENT NUMBER-DATE

05910 JUN 14 1989

FPSC-RECORDS/REPORTING

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 890382-GU

RULE TITLE:	RULE NO.:
Codes and Standards Adopted	25-12.005
Initiation of Gas Service	25-12.043
Interruption of Gas Service	25-12.044
Unauthorized Utilization of Gas Facilities	25-12.046

PURPOSE AND EFFECT: The statutory jurisdiction of the Florida Public Service Commission does not extend to distribution of gas beyond the last meter prior to consumption. To clarify the rules to relate to the statutory jurisdiction, Rules 25-12.005, 25-12.043, 25-12.044, and 25-12.046 should be amended as indicated herein.

SUMMARY: Currently, Rule 25-12.005, Codes and Standards Adopted, requires natural gas utilities to comply with the 1984 United States Department of Transportation (USDOT) and various National Fire Protection Association (NFPA) standards concerning gas facilities and transportation. Rule 25-12.043, Initiation of Gas Service, requires natural gas utilities to test all customer piping and appliances for safety prior to initiation of service. Rule 25-12.044, Interruption of Gas Service, requires that upon interruption of service a valve in the service line must be locked in the closed position or the service line plugged to prevent further flow of gas. In addition, the rule requires gas utilities to discontinue service to hazardous piping or appliances or take action to prevent further flow of gas as required by Rule 25-12.045, Discontinuance of Services Due to Inactivity. Finally, Rule 25-12.046, Unauthorized Utilization of Gas Facilities, requires utilities to discontinue unauthorized service to customers pending determination that customer piping and facilities meet applicable safety standards.

The proposed rule changes are designed to conform Commission rules to statutory authority, update gas safety standards, and

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codify current practices in the gas industry. The proposed amendments to Rule 25-12.005 would update gas safety standards to the 1989 USDOT regulations applicable to pipeline facilities and gas transportation and delete reference to redundant NFPA standards.

The proposed amendments to Rule 25-12.043 would allow utilities to decline to provide service until customers have complied with all applicable local building codes. Furthermore, the proposed amendment would require utilities to ascertain that a pressure test of customer piping had been conducted prior to activating gas meters and delete references to other utility tests of customer piping and appliances. The proposed amendments to Rule 25-12.044 would repeal redundant language requiring utilities to discontinue service to hazardous piping or appliances, or lock a valve in the closed position or plug the service line to prevent the flow of gas. Finally, the proposed amendment to Rule 25-12.046 would prohibit reestablishment of discontinued service until a pressure test of customer piping had been conducted and the customer had complied with all applicable local building codes.

RULEMAKING AUTHORITY: 366.05(1), 368.05(2), 351.127(2), F.S.

LAW IMPLEMENTED: 366.05(1), 366.05(3), 368.03, 368.05(2), F.S.

SUMMARY OF THE ESTIMATE OF ECONOMIC IMPACT OF THESE RULES: The above noted changes to the rules are not expected to impose any material costs on the Florida Public Service Commission or the gas utilities. Gas utilities are already required to conform with Federal Department of Transportation Regulations. By removing references to appliance standards and piping practices, the inference of some FPSC jurisdiction in this area is removed.

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., Friday, July 14, 1989

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PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.
THE PERSON TO BE CONTACTED REGARDING THESE RULES 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 RULES IS:

25-12.005 Codes and Standards Adopted.

~~(1)~~ The Minimum Federal Safety Standards and reporting
requirements for pipeline facilities and transportation of gas
prescribed by the United States Federal Department of
Transportation in Parts 191 and 192 of Title 49, Code of Federal
Regulations (CFR) as amended through April 4, 1989, May 24, 1984,
are adopted as part of these rules.

~~(2) -- The following National Fire Protection Association
Standards are adopted as a part of these rules insofar as they
are applicable to the jurisdiction of this Commission:~~

~~(a) -- Pamphlet No. 54 (1980)~~

~~(b) -- Pamphlet No. 58 (1983)~~

~~(c) -- Pamphlet No. 59 (1979)~~

~~(d) -- Pamphlet No. 59A (1979)~~

Specific Authority: 368.05(2), 351.127(2), F.S.

Law Implemented: 368.03, F.S.

History: New 11/14/70, Amended 9/24/71, Revised 9/21/74, Amended
10/7/75, 11/30/82, 10/2/84, formerly 25-12.05.

25-12.043 Gas Service. Initiation of Gas Service.

(1) An operator may decline to provide gas service to a
customer or any of the customer's equipment until the customer
complies with all applicable gas codes adopted by the local
authority having jurisdiction.

(2) No operator shall activate a meter delivering gas into
customer piping until ascertaining that a test was conducted
ensuring that a constant pressure had been contained by the piping.

~~No operator may establish gas service to any customer until
the operator has ascertained that such tests have been made of~~

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~~supply piping and gas appliances being placed in service as will insure, beyond reasonable doubt, the absence of any hazardous condition in the piping and appliance installation.~~

Specific Authority: 368.05(2), F.S.

Law Implemented: 368.03, F.S.

History: New 9/21/74, Repromulgated 10/7/75, Amended 10/2/84, formerly 25-12.43.

25-12.044 Interruption of Gas Service.

~~(1) At the time gas service is turned off or when the operator becomes aware that the supply of gas to a customer has been interrupted, whether intentionally or unintentionally, a valve on the service line must be either locked in the closed position or the service line plugged to prevent the flow of gas.~~

~~(2) When the operator becomes aware of any hazardous condition relative to the customer's piping or appliances, one of the following actions shall be taken:~~

~~(a) The operator shall discontinue gas service to the hazardous piping or appliance(s), or~~

~~(b) The operator shall discontinue gas service to the customer and take action as required in 25-12.045(1), (2) or (3). Service shall not be reinstated until the defect or deficiency is corrected and the provisions of Commission Rule 25-12.43 are met.~~

Specific Authority: 368.05(2), F.S.

Law Implemented: 368.05(2), F.S.

History: New 9/21/74, Repromulgated 10/7/75, Amended 10/2/84, formerly 25-12.44.

25-12.046 Unauthorized Utilization of Gas Facilities.

(1) Upon determining unauthorized establishment of gas service, the operator shall turn off the service and such service shall not be re-established until the operator has ascertained that testing meeting the requirement of Rule No. 25-12.043 had tests have been made of all customer supply piping and gas appliances as will insure, beyond reasonable doubt, the absence-

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~~of-any-hazardous-condition-in-the-piping-and-appliance
installations.~~

(2) When unauthorized service is established and such service is on a common header with other services which may have been tampered with, the operator shall, in the case of obvious tampering, check each such service to ascertain that only active customer services are open and that inactive services meet the applicable requirements of Rules Nos. 25-12.044 and 25-12.045. This investigation shall be made immediately after shutting off the unauthorized service, and a record shall be made of the results.

(3) When the operator becomes aware of unauthorized operation of any other equipment on its own facilities, it shall immediately investigate to determine the effect upon the system and take all prudent measures to assure the safety of its customers and the public in general.

Specific Authority: 368.05(2), F.S.

Law Implemented: 368.05(2), F.S.

History: New 9/21/74, Repromulgated 10/7/75, Amended 10/2/84, formerly 25-12.46.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ed Mills

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

DATE PROPOSED RULES APPROVED: May 30, 1989

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.