

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Amendment of Rule	)	DOCKET NO. 891185-EU
25-6.0345, F.A.C., pertaining	)	
to safety standards for	)	ORDER NO. 22485
transmission and distribution	)	
facilities constructed after	)	ISSUED: 2-1-90
July 1, 1986.	)	
	)	

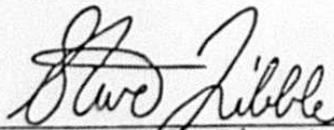
NOTICE OF ADOPTION OF RULE

NOTICE is hereby given that the Commission, pursuant to Section 120.54, Florida Statutes, has adopted Rule 25-6.0345, F.A.C., relating to safety standards for transmission and distribution facilities constructed after July 1, 1986, without change.

The rule was filed with the Secretary of State on January 26, 1990, and will be effective on February 15, 1990. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By Direction of the Florida Public Service Commission,  
this 1st day of FEBRUARY, 1990.



\_\_\_\_\_  
STEVE TRIBBLE, Director  
Division of Records & Reporting

( S E A L )

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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

I do hereby certify:

/x/ (1) The time limitations prescribed by paragraph 120.54(11)(a), F.S., have been complied with; and

/x/ (2) There is no administrative determination under section 120.54(4), F.S., pending on any rule covered by this certification; and

/x/ (3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(11)(b), F.S. They are filed not less than 28 days after the notice required by subsection 120.54(1), F.S., and;

/x/ (a) And are filed not more than 90 days after the notice; or

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

/ / (c) Are filed within 21 days after the adjournment of the final public hearing on the rule; or

/ / (d) Are filed within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

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/ (e) Are filed within 21 days after the date the transcript was received by this agency.

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 No.	Specific Rulemaking Authority	Law Being Implemented, Interpreted or Made Specific
25-6.0345	350.127(2), F.S.	366.04(6), F.S.

Under the provision of paragraph 120.54(12)(a), 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)

\_\_\_\_\_  
 Steve Tribble

\_\_\_\_\_  
 Director, Division of Records & Reporting  
 Title

\_\_\_\_\_  
 Number of Pages Certified

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25-6.0345 Safety Standards for Transmission and Distribution Facilities Constructed After July 1, 1986.

(1) The Commission adopts, and incorporates by reference, those standards prescribed in the 1984 edition of the National Electrical Safety Code (ANSI C-2) as initial safety standards for transmission and distribution facilities of all public electric utilities, rural electric cooperatives, and municipal electric systems. All utilities shall comply with the standards in these provisions.

(2) For transmission and distribution facilities subject to the Commission's safety jurisdiction, each utility shall identify such facilities and authoritatively confirm or certify to the Commission that they meet or exceed the applicable standards. Compliance inspections by the Commission shall be made on a random basis or as appropriate.

(3) The Commission has reviewed the 1990 ~~1987~~ edition of the National Electrical Safety Code (ANSI C-2), and as of January 28, 1990 ~~September-17-1987~~, adopts and incorporates by reference the provisions of that code as the applicable safety standards for transmission and distribution facilities subject to the Commission's safety jurisdiction. Standards contained in the 1990 ~~1987~~ edition shall be applicable to new construction for which design and approval are started on or after January 28, 1990. ~~September-17-1987, provided that utilities may apply the standards contained in the 1987 edition to new construction for~~

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which design and approval were started on or after February 17 1987 but before September 17 1987. Transmission and distribution facilities subject to Commission safety jurisdiction which meet applicable safety standards when constructed need not be modified to comply with subsequently adopted standards provided that construction under the standards of the 1984 edition must be commenced on or before February 17 1988 unless for good cause shown a utility receives permission for a later commencement date from the Commission.

(4) As soon as practicable, but by the end of the next business day after it learns of the occurrence, each public utility, rural electric cooperative, and municipal electric utility shall (without admitting liability) report to the Commission any accident occurring in connection with any part of its transmission or distribution facilities which:

- (a) Involves death or injury requiring hospitalization of non-utility persons; or
- (b) Is significant from a safety standpoint in the judgment of the utility even though it is not required by (a).

(5) Each public utility, rural electric cooperative, and municipal electric utility shall (without admitting liability) report any accident or malfunction, occurring in connection with any part of its transmission or distribution facilities, to the Commission within 30 days after it learns of the occurrence, provided the accident or malfunction:

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(a) Involves damage to the property of others in an amount in excess of \$5000; or

(b) Causes significant damage in the judgment of the utility to the utility's facilities.

(6) Unless requested by the Commission, reports are not required with respect to personal injury, death, or property damage resulting from vehicular equipment striking poles or other utility property.

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

Law Implemented: 366.04(6), F.S.

History: New 8/13/87, Amended 2/15/90.

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Rule 25-6.0345  
Docket No. 891185-EU

SUMMARY OF RULE

Rule 25-6.0345 applies safety standards for transmission and distribution to all investor-owned, municipal, and cooperative electric utilities in the state. It currently incorporates by reference the 1984 and 1987 editions of the National Electrical Safety Code (American National Standard Code or ANSI C-2) as initial safety standards for transmission and distribution facilities.

For transmission and distribution facilities subject to the Commission's safety jurisdiction, each utility must identify such facilities and authoritatively confirm or certify to the Commission that they meet or exceed the applicable standards. Compliance inspections by the Commission are made on a random basis or as appropriate.

The proposed revisions would substitute the 1990 edition of the National Electrical Safety Code (ANSI C-2) for the 1987 edition. The rule revisions would adopt and incorporate by reference the provisions of that code as the applicable safety standards for new transmission and distribution facilities. The standards contained in the 1990 edition would be applicable to design and approval of new construction after January 28, 1990.

Also, some extraneous language would be eliminated with adoption of the proposed rule revisions.

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SUMMARY OF HEARINGS ON THE RULE

No hearing request or comments were received.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

Section 366.04(4), Florida Statutes (1987), gave the Commission jurisdiction to prescribe and enforce safety standards for electrical transmission and distribution facilities. Sections 366.04(4)(a) and (b) provided that the Commission should adopt the 1984 edition of the National Electrical Safety Code (ANSI C-2) as its initial standard and that it should, thereafter, adopt, after review, any new edition of the Code as the basis of its safety standards. A new edition of the Code has been published and the applicable safety provisions will take effect January 28, 1990. The purpose of this rule revision is simply to adopt the new edition of the Code as required by section 366.04(4)(b).

Specifically, the amendment has language adopting the 1990 Code and establishes its effective date as January 28, 1990. References to the 1987 Code are stricken as are references to the transitional application of the 1987 Code which were necessary when the rule was first adopted.