

FLORIDA PUBLIC SERVICE COMMISSION

Fletcher Building
101 East Gaines Street
Tallahassee, Florida 32399-0850

M E M O R A N D U M

JULY 8, 1993

TO : DIRECTOR OF RECORDS AND REPORTING

FROM : DIVISION OF APPEALS (RULE) *WJK*
DIVISION OF ELECTRIC AND GAS (RUEHL) *JCR*
DIVISION OF RESEARCH AND REGULATORY REVIEW (HEWITT) *CS/H*

RE : DOCKET NO. 930486-EU, PROPOSED AMENDMENT TO RULE 25-6.0345, F.A.C., SAFETY STANDARDS FOR TRANSMISSION AND DISTRIBUTION FACILITIES CONSTRUCTED AFTER 7/1/86.

AGENDA: JULY 20, 1993 - CONTROVERSIAL AGENDA - PARTIES MAY PARTICIPATE

PANEL: FULL COMMISSION

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: I:\PSC\APP\WP\930486.RCM

CASE BACKGROUND

Chapter 366.04(6)(b) grants to the Commission "exclusive jurisdiction to prescribe and enforce safety standards" for electric transmission and distribution systems. The statute also requires the Commission to review and adopt new editions of the National Electrical Safety Code. Rule 25-6.0345 currently requires all public utilities, rural electric cooperatives and municipal electric systems to build their transmission and distribution facilities to the standards of the 1990 code. The rule amendment requires utilities to use the 1993 version of the code, and also codifies reporting requirements.

DISCUSSION OF ISSUE

ISSUE 1: Should the Commission propose the attached amendments to Rule 25-6.0345, Florida Administrative Code, Safety Standards for Transmission and Distribution Facilities Constructed after 7/1/86?

RECOMMENDATION: Yes.

STAFF ANALYSIS: This rule directs utilities to build transmission and distribution facilities in compliance with the National Electrical Safety Code. The rule has been periodically updated to incorporate new editions of the code, with the last revision adopting the 1990 edition. The rule should be updated to require utilities to comply with the new, 1993 edition of the code. Staff also recommends that the rule be amended to codify reporting requirements. A copy of the proposed rule amendment is attached.

Title: Staff believes that the title of the rule should be changed to delete the reference to facilities constructed after July 1, 1986. As amended, the rule will direct utilities to use the 1993 code standards for new construction for which a work order number is assigned on or after the effective rule date. It is not retroactive to 1986.

Subsection (1): The first paragraph discusses the Commission's initial adoption of the 1984 code and should be deleted entirely because it is no longer relevant. It has been replaced with a paragraph that directs utilities to comply with the 1993 code for all new construction for which a work order number is assigned on or after the effective date of the rule.

Subsection (2): Utilities are currently required to report their completed work orders after each calendar quarter. This new paragraph defines the work order reporting system.

The quarterly report must specify the work order number, project or job; a brief title; the estimated dollar cost, to the nearest hundred dollars, the job location; the Kv rating, and whether or not there is a contiguous work order in the same location. The Commission has safety jurisdiction over transmission and distribution systems and uses the reported information to determine which facilities to inspect. Staff believes that the reported information allows it to effectively monitor safety standards by helping staff to identify projects to be inspected.

Subsection (3): This new paragraph specifies the format for the quarterly report. Utilities may file their reports in standard DBase or compatible format, DOS ASCII text, or hard copy. The format is specified to ensure uniform reports.

Subsection (4): Utilities are currently required to identify new facilities subject to the Commission's safety jurisdiction. This paragraph clarifies that the facilities must be identified in the quarterly report.

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Reasonable alternative methods for achieving the purpose of the rule: Staff could not identify any reasonable alternatives to the adoption of the latest edition of the National Electrical Safety Code. Staff does not believe it would be reasonable to retain the outdated code edition. Not only is the Commission required by Section 366.04(6)(b) to adopt new editions of the code, but staff believes that safety standards should be the most current to protect the public.

Staff could determine no reasonable alternative to the reporting requirement.

Economic Impact: There should be no significant additional costs or paperwork for the Commission or other state or local government entities since the safety standards are currently being complied with and reports are currently being submitted to the Commission. The Commission would benefit by having the required reports filed in a consistent format that would facilitate analysis.

All electric utilities are currently required to comply with Commission safety standards, and most utilities routinely comply with the latest edition of the National Electrical Safety Code. Adoption of the latest edition of the code should eliminate any confusion regarding the appropriate code edition to use in the construction of new facilities. There should be no significant additional costs to utilities because they are already required to file reports, although some minor clerical work may be required to rearrange the required information and submit it in one of the proposed formats. Reporting costs may be reduced by allowing more choices in filing the reports. Clarifying rule language should reduce possible misunderstanding of the rule.

No direct impact on small business is foreseen as none of the affected utilities qualifies as a small business pursuant to Section 288.703(1), Florida Statutes (1991). No change is expected in the competitive structure of the industry, and there should be no significant change in employment.

Attachments:
Rule 25-6.0345, F.A.C.
Economic Impact Statement

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2 25-6.0345 Safety Standards for Construction of New
3 Transmission and Distribution Facilities ~~Constructed After July 1,~~
4 ~~1986.~~

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

12 (1)-(3) In compliance with Chapter 366.04(6)(b) F.S., 1991,
13 The Commission adopts and incorporates by reference has reviewed
14 the 1993-1990 edition of the National Electrical Safety Code (ANSI
15 C-2), published August 3, 1992, and as of January 28, 1990, adopts
16 and incorporates by reference the provisions of that code as the
17 applicable safety standards for transmission and distribution
18 facilities subject to the Commission's safety jurisdiction. Each
19 public electric utility, rural electric cooperative, and municipal
20 electric system shall comply with the standards in these
21 provisions. Standards contained in the 1993-1990 edition shall be
22 applicable to new construction for which a work order number is
23 assigned design and approval are started on or after the effective
24 date of this rule January 28, 1990.

25 (2) Each public electric utility, rural electric cooperative

CODING: Words underlined are additions; words in
~~struck-through~~ type are deletions from existing law.

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2 and municipal electric utility shall report all completed electric
3 work orders, whether completed by the utility or one of its
4 contractors, at the end of each quarter of the year. The report
5 shall be filed with the Director of the Commission's Division of
6 Electric and Gas no later than the 15th working day after the last
7 day of the reporting quarter, and shall contain, at a minimum, the
8 following information for each work order:

9 (a) work order number/project/job;

10 (b) brief title;

11 (c) estimated cost in dollars, rounded to nearest hundred;

12 (d) location;

13 (e) Kv rating (if below 1 Kv, enter zero);

14 (f) contiguous work order in one location (y/n).

15 (3) The quarterly report shall be filed in standard DBase or
16 compatible format, DOS ASCII text, or hard copy, as follows:

17 (a) DBase Format

	<u>Field Names</u>	<u>Field Type</u>	<u>digits</u>
18			
19	<u>1. Workorders</u>	<u>Character</u>	<u>20</u>
20	<u>2. Brieftitle</u>	<u>Character</u>	<u>30</u>
21	<u>3. Cost</u>	<u>Numeric</u>	<u>8</u>
22	<u>4. Location</u>	<u>Character</u>	<u>50</u>
23	<u>5. Kv</u>	<u>Numeric</u>	<u>5</u>
24	<u>6. Contiguous</u>	<u>Character</u>	<u>1</u>

25 (b) DOS ASCII Text.

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2 1. Columns shall be the same type and in the same order as
3 listed under Field Names above.

4 2. A comma (,) shall be placed between data fields.

5 3. Character data fields shall be placed between quotation
6 marks ("...").

7 4. Numeric data fields shall be right justified.

8 5. Blank spaces shall be used to fill the data fields to the
9 indicated number of digits.

10 (c) Hard Copy.

11 The following format shall be used:

12 Completed Electrical Work Orders

13 For PSC Inspection

14

<u>Work</u> <u>Order</u> <u>Number</u>	<u>Brief</u> <u>Title</u>	<u>Estimated</u> <u>Cost</u>	<u>Location</u>	<u>Kv</u> <u>Rating</u>	<u>Contiguous</u> <u>(y/n)</u>

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20 (4)(2) In its quarterly report, each utility shall identify
21 all For transmission and distribution facilities subject to the
22 Commission's safety jurisdiction, and shall each utility shall
23 identify such facilities and authoritatively confirm or certify to
24 the Commission that they meet or exceed the applicable standards.
25 Compliance inspections by the Commission shall be made on a random

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2 basis or as appropriate.

3 (5) ~~(4)~~ As soon as practicable, but by the end of the next
4 business day after it learns of the occurrence, each public
5 utility, rural electric cooperative, and municipal electric utility
6 shall (without admitting liability) report to the Commission any
7 accident occurring in connection with any part of its transmission
8 or distribution facilities which:

9 (a) Involves death or injury requiring hospitalization of
10 non-utility persons; or

11 (b) Is significant from a safety standpoint in the judgment
12 of the utility even though it is not required by (a).

13 (6) ~~(5)~~ Each public utility, rural electric cooperative, and
14 municipal electric utility shall (without admitting liability)
15 report each ~~any~~ accident or malfunction, occurring in connection
16 with any part of its transmission or distribution facilities, to
17 the Commission within 30 days after it learns of the occurrence,
18 provided the accident or malfunction:

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

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

23 (7) ~~(6)~~ Unless requested by the Commission, reports are not
24 required with respect to personal injury, death, or property damage
25 resulting from vehicles ~~vehicular equipment~~ striking poles or other

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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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M E M O R A N D U M

July 7, 1993

TO: DIVISION OF APPEALS (RULE)
FROM: DIVISION OF RESEARCH AND REGULATORY REVIEW (HEWITT)
SUBJECT: ECONOMIC IMPACT STATEMENT FOR DOCKET NO. 930486; PROPOSED REVISIONS TO RULE 25-6.0345, FAC, SAFETY STANDARDS FOR TRANSMISSION AND DISTRIBUTION FACILITIES

SUMMARY OF THE RULE

The current Rule 25-6.0345, FAC, Safety Standards, defines the safety standards to be used for construction of transmission and distribution facilities and defines the effective date of the safety standards. It also defines the reporting requirements for accidents on transmission and distribution facilities.

The purpose of the proposed amendments is to: (1) Adopt the 1993 Edition of the National Electrical Safety Code; (2) define the work order reporting system; (3) define the format for reporting the work orders; and (4) clarify language in the existing rule.

DIRECT COSTS TO THE AGENCY AND OTHER STATE OR LOCAL GOVERNMENT ENTITIES

There should be no significant additional costs or paperwork for the Commission or other state or local government entities since the safety standards are currently being complied with and reports are currently being submitted to the Commission. Some minor clerical work may be required to rearrange the information and submit it in the proposed format.

The Commission would benefit by having required reports filed in a

consistent format which would facilitate analysis.

COSTS AND BENEFITS TO THOSE PARTIES DIRECTLY AFFECTED BY THE RULE

All public utilities are currently required to comply with Commission safety standards. Most utilities comply with the latest edition of the National Electrical Safety Code. By adopting the latest edition by rule revision, any confusion should be eliminated concerning which edition to use in constructing new electric transmission or distribution facilities.

The Commission's Division of Electric and Gas currently has standard operating procedures for filing reports consistent with these rule requirements. However, the format would be codified in the rule and filing in a computer accessible format would be allowed.

There should be no significant additional costs since utilities are currently required to file reports. Some minor clerical work may be required to rearrange the required information and submit it in the proposed format. Reporting costs may be reduced by allowing more choices in filing the reports. Clarifying rule language should reduce possible misunderstanding of the rule.

REASONABLE ALTERNATIVE METHODS

The alternative of not adopting the latest edition of the National Electrical Safety Code would be to retain the outdated edition. This alternative is not reasonable since the safety standards of utility transmission and distribution construction should be the most current to protect the public. No other reasonable alternatives to adoption of these rule revisions were identified by technical staff.

IMPACT ON SMALL BUSINESSES

No direct impact on small businesses is foreseen as none of the affected utilities qualifies as a small business as defined in Section 288.703(1), Florida Statutes (1991).

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IMPACT ON COMPETITION

All public electric utilities are required to adopt the latest rule revisions so no change is expected in the competitive structure of the industry.

IMPACT ON EMPLOYMENT

There should be no significant change in employment since changes in the safety code are incremental and most utilities comply with the latest edition of the safety code. Reporting requirements may increase clerical work slightly in the short term but should be handled by existing staff.

METHODOLOGY

Discussions were held with staff from the Division of Legal Services and the Division of Electric and Gas concerning current practices and expected impacts from the proposed rule revisions. Standard economic analysis was used to assess the expected costs and benefits from the proposed rule revisions.

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