

State of Florida

Commissioners:
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DIVISION OF APPEALS
DAVID I. SMITH
DIRECTOR
(904) 488-7464

Public Service Commission

August 13, 1993

Mr. Carroll Webb
Joint Administrative Procedures
Committee
120 Holland Building
Tallahassee, Florida 32399

Re: DOCKET NO. 930486-EU, RULE 25-6.0345, F.A.C.

Dear Mr. Webb:

Enclosed are original and three copies of the following materials concerning the above referenced proposed rule:

1. A copy of the rule and the material incorporated by reference into the rule.
2. A copy of the F.A.W. notice.
3. A statement of facts and circumstances justifying the proposed rule.
4. A federal comparison statement.
5. A statement of the impact of the rule on small business.
6. A copy of the economic impact statement.
7. A statement that the Agency has chosen the regulatory alternative that imposes the lowest net cost alternative to society or reasons for rejecting lowest net cost alternative in favor of proposed rule.

If there are any questions with respect to this rule, please do not hesitate to call on me.

Sincerely,

Marsha E. Rule
Associate General Counsel

WRS — WEW

OTH — Enclosures

cc: Steve Tribble, Director, Division of Records & Reporting
marsha.cjp

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

4 (1)-(3) In compliance with Chapter 366.04(6)(b) F.S., 1991,
5 the Commission adopts and incorporates by reference has reviewed
6 the 1993-1990 edition of the National Electrical Safety Code
7 (ANSI C-2), published August 3, 1992, and as of January 28, 1990,
8 adopts and incorporates by reference the provisions of that code
9 as the applicable safety standards for transmission and
10 distribution facilities subject to the Commission's safety
11 jurisdiction. Each public electric utility, rural electric
12 cooperative, and municipal electric system shall comply with the
13 standards in these provisions. Standards contained in the 1993
14 1990 edition shall be applicable to new construction for which a
15 work order number is assigned design and approval are started on
16 or after the effective date of this rule January 28, 1990.

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

24 (2) Each public electric utility, rural electric
25 cooperative and municipal electric utility shall report all

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

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

- 8 (a) work order number/project/job;
- 9 (b) brief title;
- 10 (c) estimated cost in dollars, rounded to nearest hundred;
- 11 (d) location;
- 12 (e) Kv rating (if below 1 Kv, enter zero);
- 13 (f) contiguous work order in one location (y/n).

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

16 (a) DBase Format

	<u>Field Names</u>	<u>Field Type</u>	<u>digits</u>
17			
18	1. <u>Workorders</u>	<u>Character</u>	<u>20</u>
19	2. <u>Briefftitle</u>	<u>Character</u>	<u>30</u>
20	3. <u>Cost</u>	<u>Numeric</u>	<u>8</u>
21	4. <u>Location</u>	<u>Character</u>	<u>50</u>
22	5. <u>Kv</u>	<u>Numeric</u>	<u>5</u>
23	6. <u>Contiguous</u>	<u>Character</u>	<u>1</u>

24 (b) DOS ASCII Text.

25 1. Columns shall be the same type and in the same order as

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

1 listed under Field Names above.

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

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

5 4. Numeric data fields shall be right justified.

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

8 (c) Hard Copy.

9 The following format shall be used:

10 Completed Electrical Work Orders

11 For PSC Inspection

<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>

17
18 (4)(2) In its quarterly report, each utility shall identify
19 all ~~For~~ transmission and distribution facilities subject to the
20 Commission's safety jurisdiction, and shall ~~each utility shall~~
21 ~~identify such facilities and authoritatively confirm or certify~~
22 to the Commission that they meet or exceed the applicable
23 standards. Compliance inspections by the Commission shall be
24 made on a random basis or as appropriate.

25 (5) (4) As soon as practicable, but by the end of the next

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~~struck-through~~ type are deletions from existing law.

1 business day after it learns of the occurrence, each public
2 utility, rural electric cooperative, and municipal electric
3 utility shall (without admitting liability) report to the
4 Commission any accident occurring in connection with any part of
5 its transmission or distribution facilities which:

6 (a) Involves death or injury requiring hospitalization of
7 non-utility persons; or

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

10 (6) ~~(5)~~ Each public utility, rural electric cooperative,
11 and municipal electric utility shall (without admitting
12 liability) report each ~~any~~ accident or malfunction, occurring in
13 connection with any part of its transmission or distribution
14 facilities, to the Commission within 30 days after it learns of
15 the occurrence, provided the accident or malfunction:

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

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

20 (7) ~~(6)~~ Unless requested by the Commission, reports are not
21 required with respect to personal injury, death, or property
22 damage resulting from vehicles ~~vehicular equipment~~ striking poles
23 or other utility property.

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

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

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

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

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CERTIFICATION OF
PUBLIC SERVICE COMMISSION OF MATERIAL INCORPORATED
BY REFERENCE IN RULE 25-6.0345, F.A.C.

I hereby certify that attached is a true and complete copy of
1993 National Electrical Safety Code (ANSI C2-1993), which is
incorporated by reference by Rule 25-6.0345, Florida Administrative
Code.



MARSHA E. RULE

MER
amd93486.cjp

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 930486-EU

RULE TITLE:

RULE NO.:

Safety Standards for Transmission
and Distribution Facilities

25-6.0345

Constructed After July 1, 1986.

PURPOSE AND EFFECT: The purpose of the rule is to adopt the 1993 National Electrical Safety Code and to require utilities to report certain information regarding their electric construction work. The effect is to update utility construction practices and require additional reporting.

SUMMARY: This rule directs utilities to build transmission and distribution facilities in compliance with the 1993 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 amendment also codifies reporting requirements regarding transmission and distribution facility construction and maintenance.

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

LAW IMPLEMENTED: 366.04(6), 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., September 20, 1993

PLACE: Room 122, 101 East Gaines Street, Tallahassee, Florida.
THE PERSON TO BE CONTACTED REGARDING THIS RULE IS: Director of Appeals, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399.

THE FULL TEXT OF THE RULE IS:

25-6.0345 Safety Standards for [[Construction of New]] Transmission and Distribution Facilities [Constructed After July 1, 1986].

[[(1)] (3)] [[In compliance with Chapter 366.04(6)(b) F.S., 1991]], [T][t]he Commission [[adopts and incorporates by reference]] [has reviewed] the [[1993]] [1990] edition of the National Electrical Safety Code (ANSI C-2), [[published August 3, 1992,]] [and as of January 28, 1990, 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. [[Each public electric utility, rural electric cooperative, and municipal electric system shall comply with the standards in these provisions.]] Standards contained in the [[1993]] [1990] edition shall be applicable to new construction for which [[a work order number is assigned]] [design and approval are started] on or after [[the effective date of this rule]] [January 28, 1990].

[(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) Each public electric utility, rural electric cooperative and municipal electric utility shall report all completed electric work orders, whether completed by the utility or one of its contractors, at the end of each quarter of the year. The report shall be filed with the Director of the Commission's Division of Electric and Gas no later than the 15th working day after the last day of the reporting quarter, and shall contain, at a minimum, the following information for each work order:

- (a) work order number/project/job;
- (b) brief title;
- (c) estimated cost in dollars, rounded to nearest hundred;
- (d) location;
- (e) Kv rating (if below 1 Kv, enter zero);
- (f) contiguous work order in one location (y/n).

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

(a) DBase Format

Field Names	Field Typedigits
1. Workorders	Character20
2. Brieftitle	Character30
3. Cost	Numeric8
4. Location	Character50
5. Kv	Numeric5
6. Contiguous	Character1

(b) DOS ASCII Text.

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

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

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

4. Numeric data fields shall be right justified.

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

(c) Hard Copy.

The following format shall be used:

Completed Electrical Work Orders

For PSC Inspection

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

[[(4)] [(2)] [[In its quarterly report, each utility shall identify all]]. [For] transmission and distribution facilities subject to the Commission's safety jurisdiction, [[and shall]] [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.

[[(5)] [(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).

[[(6)]] [(5)] Each public utility, rural electric cooperative, and municipal electric utility shall (without admitting liability) report [[each]] [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:

(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.

[[(7)]] [(6)] Unless requested by the Commission, reports are not required with respect to personal injury, death, or property damage resulting from [[vehicles]] [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, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jim Puehl, Division of Electric and Gas.

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

DATE PROPOSED RULE APPROVED: July 20, 1993

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).

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).

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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STATEMENT OF FACTS AND CIRCUMSTANCES
JUSTIFYING RULE

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.

STATEMENT ON FEDERAL STANDARDS

There is no federal standard on the same subject.

STATEMENT OF IMPACT ON SMALL BUSINESS

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).

STATEMENT THAT THE AGENCY HAS CHOSEN THE REGULATORY ALTERNATIVE
THAT IMPOSES THE LOWEST NET COST ALTERNATIVE TO SOCIETY
OR REASONS FOR REJECTING LOWEST NET COST ALTERNATIVE
IN FAVOR OF PROPOSED RULE

The Commission has chosen the regulatory alternative that imposes the lowest net cost to society.