

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.



DIVISION OF APPEALS
DAVID E. SMITH
DIRECTOR
(850) 413-6245

ORIGINAL

Public Service Commission

June 16, 1998

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

Re: Docket No. 980408-EG - Proposed Repeal of 25-17.011,
Continuation of Energy Conservation Loan Guarantees

Dear Mr. Webb:

The Commission has approved the repeal of Rule 25-17.011,
F.A.C., without changes.

We plan to file the rule for adoption on June 24, 1998.

Sincerely,

Christiana T. Moore
Associate General Counsel

ADT011.MRD
Enclosure
cc: Division of Records & Reporting

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

DOCUMENT NUMBER-DATE
06348 JUN 16 98
FPSC-RECORDS/REPORTING

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06348 JUN 16 98
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FPSC-RECORDS/REPORTING

1 25-17.011 Continuation of Energy Conservation Loan Guarantees.

2 ~~(1) Eligibility and Application.~~

3 ~~— (a) Any utility which, as part of its approved conservation~~
4 ~~plan, submitted pursuant to §.366.82(2), F.S., loaned its funds~~
5 ~~to eligible customers as defined in Rule 25-17.051(2), F.A.C.,~~
6 ~~for the purpose of purchasing conservation measures listed in~~
7 ~~Rule 25-17.051(10), F.A.C., and which received a guarantee by the~~
8 ~~Commission of all or any portion of loans underwritten by the~~
9 ~~utility through the June 30, 1991 ending date of the Energy~~
10 ~~Conservation Loan Guarantee program shall continue to receive the~~
11 ~~guarantee, subject to the terms of this rule. Energy~~
12 ~~Conservation Loan Guarantees made to lending institutions through~~
13 ~~June 30, 1991 shall similarly be continued. The Commission does~~
14 ~~not guarantee energy conservation loans made after June 30, 1991.~~
15 ~~The provisions of this rule which refer to application for the~~
16 ~~guarantee remain applicable to loans which received the~~
17 ~~guarantee.~~

18 ~~— (b) Each utility applying for Commission guarantee of such~~
19 ~~loans shall submit to the Commission a description of the types~~
20 ~~of loans to be made and of loan servicing and collection~~
21 ~~practices, an estimate of the total amount of funds to be loaned~~
22 ~~within a stated period, and any forms to be used by the utility~~
23 ~~or its subcontracted lending institution in making such loans.~~

24 ~~— (c) Upon review of the utility's application and material,~~
25 ~~submitted according to sub subsection (1)(b) above, the~~

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struck-through type are deletions from existing law.

1 ~~Commission shall approve the utility's application, in full or in~~
2 ~~part, or shall deny such approval. The Commission's approval of~~
3 ~~the proposed loan program shall be for a specific amount of funds~~
4 ~~to be loaned within a specific period of time. The reasons for~~
5 ~~the denial shall be stated.~~

6 ~~(2) Loan Application, Limits and Terms.~~

7 ~~(a) Each applicant for a loan shall complete a Commission~~
8 ~~approved loan application form supplied by the utility or its~~
9 ~~subcontracted lending institution. The form shall provide for~~
10 ~~the disclosure of information relating to the loan applicant's~~
11 ~~acceptability as a credit risk, his interest in the property to~~
12 ~~be improved, and the type of improvement to be made.~~

13 ~~(b) If loans are made by a utility or its subcontracted~~
14 ~~lending institution, only loans made to applicants within the~~
15 ~~utility's service area are eligible for the Commission's loan~~
16 ~~guarantee.~~

17 ~~(c) If a loan is made to an applicant who does not have an~~
18 ~~ownership interest in the property to be improved by the~~
19 ~~conservation measure, the owner of such property shall be~~
20 ~~required to sign as guarantor on the note evidencing the loan.~~

21 ~~(d) Loans eligible for the Commission's loan guarantee may~~
22 ~~be for any of the following conservation measures and the amount~~
23 ~~loaned shall not exceed the utility's or its subcontracted~~
24 ~~lending institution's estimate of the cost of implementing the~~
25 ~~particular measure.~~

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- 1 ~~1. Caulking of windows or doors or both.~~
- 2 ~~2. Weatherstripping of windows or doors or both.~~
- 3 ~~3. Duct or pipe insulation.~~
- 4 ~~4. Water heater insulation.~~
- 5 ~~5. Heat reflective and heat absorbing window or door~~
- 6 ~~materials.~~
- 7 ~~6. Clock thermostats.~~
- 8 ~~7. Ceiling insulation.~~
- 9 ~~8. Load management devices.~~
- 10 ~~9. Window panel inserts.~~
- 11 ~~10. Floor insulation.~~
- 12 ~~11. Replacement of furnaces or boilers.~~
- 13 ~~12. Replacement of central air conditioning.~~
- 14 ~~13. Wall insulation.~~
- 15 ~~14. Furnace replacement burner.~~
- 16 ~~15. Replacement of resistance heat with heat pump or~~
- 17 ~~natural gas.~~
- 18 ~~16. Storm windows.~~
- 19 ~~17. Solar domestic water heating.~~
- 20 ~~18. Solar swimming pool heating, if the pool is~~
- 21 ~~presently heated with a nonrenewable resource.~~
- 22 ~~19. Waste heat recovery water heating systems.~~
- 23 ~~20. Heat pump or natural gas water heaters.~~
- 24 ~~(e) The following terms shall be included in the loan~~
- 25 ~~agreement.~~

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1 ~~1. The first payment on the note evidencing the loan~~
2 ~~shall be due no later than sixty 60 days after the date of~~
3 ~~execution of the note,~~

4 ~~2. The maturity date for the note shall not be later~~
5 ~~than seven years after the date the first payment is due.~~

6 ~~However, at the time a utility requests approval of its loan~~
7 ~~program, it may request that the Commission approve a maturity~~
8 ~~date which is in excess of seven years for a specific type of~~
9 ~~conservation measure. The reasons for the later maturity date~~
10 ~~shall be specified.~~

11 ~~3. Prepayment of all or part of the loan principal~~
12 ~~shall be credited on the date received. If full payment of the~~
13 ~~loan principal is made prior to the maturity date of the note, no~~
14 ~~unearned interest or prepayment penalty shall be collected.~~

15 ~~(3) Loan Providing, Servicing and Collection.~~

16 ~~(a) The utility is responsible to the Commission for proper~~
17 ~~servicing and collection of loans. However, a utility may~~
18 ~~contract with a lending institution to make loans to eligible~~
19 ~~customers and for the performance of loan servicing and~~
20 ~~collection functions. A description of servicing and collection~~
21 ~~practices shall be included in the utility's application, as~~
22 ~~specified in sub-subsection (1)(c), for the Commission's loan~~
23 ~~guarantee. The utility is responsible for providing a~~
24 ~~post-installation inspection of each conservation measure which~~
25 ~~is financed by a guaranteed loan.~~

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1 ~~(4) Claims.~~

2 ~~(a) No claim for reimbursement for loss on guaranteed loans~~
3 ~~shall be paid unless the utility's or its subcontracted lending~~
4 ~~institution's claim against the borrower has been reduced to~~
5 ~~judgment. However, if the principal due on a loan which is in~~
6 ~~default is less than \$200 and reasonable collection efforts have~~
7 ~~been made, the utility or its subcontracted lending institution~~
8 ~~shall receive reimbursement for the unpaid principal without~~
9 ~~reducing the claim to judgment.~~

10 ~~(b) For reimbursement of claims greater than or equal to~~
11 ~~\$200:~~

12 ~~1. The utility or its subcontracted lending~~
13 ~~institution must reduce the claim to judgment and~~
14 ~~obtain a Judgment Lien. The Judgment may include~~
15 ~~reasonable attorney's fees and court costs.~~

16 ~~2. The utility shall file a request for reimbursement~~
17 ~~with the Florida Public Service Commission's~~
18 ~~Division of Administration within twenty (20) days~~
19 ~~of the receipt of Judgment. The request for~~
20 ~~reimbursement shall contain at least the~~
21 ~~following:~~

22 ~~a. Six copies of the applicant's loan file,~~

23 ~~b. An original and five copies of a certification by~~
24 ~~an officer of the utility, which asserts that the~~
25 ~~utility acted within the scope of its approved~~

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- 1 ~~conservation loan program.~~
- 2 ~~e. Six copies of the Judgment,~~
- 3 ~~d. Six copies of the Judgment Lien,~~
- 4 ~~e. A statement indicating the utility's or its~~
5 ~~subcontracted lending institution's agreement to~~
6 ~~execute an Assignment of Judgment in exchange for~~
7 ~~reimbursement, and~~
- 8 ~~f. The utility's name and mailing address, its~~
9 ~~Federal Employer Identification Number and the~~
10 ~~name and telephone number of the utility's liaison~~
11 ~~whom the Commission may contact for additional~~
12 ~~information regarding the defaulted loan.~~
- 13 ~~3. The Florida Public Service Commission's Division~~
14 ~~of Administration shall notify the utility when~~
15 ~~the State Comptroller issues a warrant and shall~~
16 ~~request assignment of rights under the Judgment to~~
17 ~~the State of Florida. The warrant will be mailed~~
18 ~~to the utility upon receipt of original assigned~~
19 ~~Judgment.~~
- 20 ~~(e) For reimbursement of claims under \$200.~~
- 21 ~~1. The request for reimbursement will be filed in a~~
22 ~~timely manner with the Florida Public Service~~
23 ~~Commission's Division of Administration and~~
24 ~~contain at least the following:~~
- 25 ~~a. Six copies of the applicant's loan file,~~

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1 ~~b. An original and five copies of a certification by~~
2 ~~an officer of the utility, which asserts that the~~
3 ~~utility acted within the scope of its approved~~
4 ~~conservation loan program, and~~

5 ~~c. The utility's name and mailing address, its~~
6 ~~Federal Employer Identification Number and the~~
7 ~~name and telephone number of the utility's liaison~~
8 ~~whom the Commission may contact for additional~~
9 ~~information regarding the defaulted loan.~~

10 ~~2. The warrant will be mailed to the utility upon~~
11 ~~issuance by the State Comptroller.~~

12 ~~(d) If deficiencies or disputes are identified by the~~
13 ~~Commission's staff in a utility's request for reimbursement, the~~
14 ~~Commission's Executive Director shall notify the utility of the~~
15 ~~deficiencies or disputes and the basis for each. Unsettled~~
16 ~~disputes between Commission staff and the utility will be~~
17 ~~resolved by the Commissioners following written request from the~~
18 ~~utility, which shall specifically respond to the deficiencies or~~
19 ~~disputes identified by the Executive Director. The request shall~~
20 ~~be submitted to the Commission's Executive Director, and a copy~~
21 ~~shall be submitted to the Commission's Division of Electric and~~
22 ~~Gas.~~

23 ~~(5) Recordkeeping and Reporting Requirements.~~

24 ~~(a) Each utility or its subcontracted lending institution,~~
25 ~~which has had or has outstanding loans guaranteed by the~~

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1 ~~Commission, shall make the following records available to the~~
2 ~~Commission upon request or, if requested, shall submit to the~~
3 ~~Commission the following reports.~~

4 ~~1. Records: A file shall be maintained for each loan~~
5 ~~made containing the following:~~

6 ~~a. Credit application.~~

7 ~~b. Credit report or other investigation of the loan~~
8 ~~applicant's credit.~~

9 ~~c. Loan agreement.~~

10 ~~d. Loan servicing and collection information.~~

11 ~~e. Default information, including a bankruptcy court~~
12 ~~order discharging the debtor (if applicable) and~~
13 ~~Judgment information (if applicable).~~

14 ~~2. Reports:~~

15 ~~a. Quarterly reports on guaranteed loans will be~~
16 ~~submitted to the Commission on prescribed forms~~
17 ~~within 30 days after the close of each quarter.~~

18 ~~b. The Commission may require the submission of~~
19 ~~supplemental reports relating to guaranteed loans~~
20 ~~which are deemed necessary by the Commission.~~

21 ~~(b) The Commission may inspect the utility's or its~~
22 ~~subcontracted lending institution's books or accounts which~~
23 ~~pertain to the loans reported for guarantee.~~

24 ~~(c) Limitation of Guarantee.~~

25 ~~(a) Unless prohibited by law, guarantees made pursuant to~~

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1 ~~this rule shall be for the amount of the Judgment obtained by the~~
2 ~~utility against the borrower or, if a judgment is not required,~~
3 ~~the amount of principal due on the loan.~~

4 ~~(b) The Commission's liability to pay claims made against~~
5 ~~the Florida Public Service Regulatory Trust Fund is limited to~~
6 ~~\$5,000,000.~~

7 ~~(7) Reserve Requirement.~~

8 ~~The Commission shall maintain for each loan made under the~~
9 ~~guarantee program a reserve which is equal to five percent (5%)~~
10 ~~of the outstanding principal balance due on the loan.~~

11 Specific Authority: 366.05(1), 366.82, F.S.

12 Law Implemented: 366.05(1), 366.82, F.S.

13 History: New 10/13/81, formerly 25-17.11, Amended 1/5/82,
14 12/30/82, 2/9/86, 8/9/92, Repealed _____.

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ORIGINAL

Public Service Commission

June 16, 1998

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

Re: DOCKET NO. 980409-EG - PROPOSED REPEAL OF RULES 25-7.001 AUTHORIZATION OF RULES; 25-7.002 APPLICATION AND SCOPE; 25-7.004 REFERENCE TO COMMISSION; 25-7.016 SYSTEM MAPS AND RECORDS; 25-7.017 OPERATING RECORDS; 25-7.034 DESIGN AND CONSTRUCTION OF PLANT; 25-7.035 INSPECTION OF PLANT; 25-7.036 EXTENT OF SYSTEM WHICH UTILITY SHALL MAINTAIN; 25-7.051 GAS SHUT-OFF VALVES; 25-7.052 ODORIZAION; 25-7.055 LIQUEFIED PETROLEUM FACILITIES; 25-12.001 AUTHORIZATION; 25-12.002 APPLICATION; 25-12.003 SCOPE; 25-12.006 COMMISSION INTERPRETATION OF RULES; 25-12.010 EMPLOYEE EDUCATION; 25-12.023 LIMITATIONS ON UNDERGROUND THREADED JOINTS; 25-12.025 LIMITATIONS ON MATERIALS USED; 25-12.026 SERVICE REGULATOR REQUIREMENTS; 25-12.039 OPERATING AND MAINTENANCE PLANS; 25-12.048 INSPECTION OF VAULTS; 25-12.051 CORROSION REQUIREMENTS FOR STEEL TUBING; 25-12.064 MATERIALS; 25-12.065 CONSTRUCTION RECORDS; 25-12.066 TESTING RECORDS; 25-12.067 OPERATION AND MAINTENANCE RECORDS

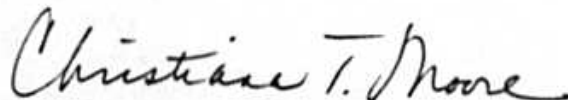
Dear Mr. Webb:

The Commission has approved the repeal of Rules 25-7.001, 25-7.002, 25-7.004, 25-7.016, 25-7.017, 25-7.034, 25-7.035, 25-7.036, 25-7.051, 25-7.052, 25-7.055, 25-12.001, 25-12.002, 25-12.003, 25-12.006, 25-12.010, 25-12.023, 25-12.025, 25-12.026, 25-12.039, 25-12.048, 25-12.051, 25-12.064, 25-12.065, 25-12.066, and 25-12.067, without changes.

Mr. Carroll Webb
June 16, 1998
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We plan to file the rule for adoption on June 24, 1998.

Sincerely,

A handwritten signature in cursive script that reads "Christiana T. Moore".

Christiana T. Moore
Associate General Counsel

ADT7001.MRD

Enclosure

cc: Division of Records & Reporting

1 25-7.001 Authorization of Rules. ~~The statutory power~~
2 ~~granted to the Florida Public Service Commission to establish~~
3 ~~rules and fix standards for gas utility service, is contained in~~
4 ~~Subsection (1) of Section 366.05, Florida Statutes, which states~~
5 ~~as follows:~~

6 ~~"In the exercise of such jurisdiction, the Commission shall~~
7 ~~have power to prescribe fair and reasonable rates and charges,~~
8 ~~classifications, standards of quality and measurements, and~~
9 ~~service rules and regulations to be observed by each public~~
10 ~~utility, to prescribe uniform system and classification of~~
11 ~~accounts for all public utilities which among other things shall~~
12 ~~set up adequate, fair, and reasonable depreciation rates and~~
13 ~~charges, to require the filing by each public utility of periodic~~
14 ~~reports and all other reasonably necessary data, to require~~
15 ~~repairs, improvements, additions, and extensions to the plant and~~
16 ~~equipment of any public utility reasonably necessary to promote~~
17 ~~the convenience and welfare of the public and secure adequate~~
18 ~~service or facilities for those reasonably entitled thereto, to~~
19 ~~employ and fix the compensation for such examiners, and~~
20 ~~technical, legal and clerical employees as it deems necessary to~~
21 ~~carry out the provisions of this Chapter, to prescribe all rules~~
22 ~~and regulations reasonably necessary and appropriate for the~~
23 ~~administration and enforcement of this Chapter, and to exercise~~
24 ~~all judicial powers, issue all writs and do all things necessary~~
25 ~~or convenient to the full and complete exercise of its~~

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1 ~~jurisdiction and the enforcement of its orders and requirements."~~

2 Specific Authority: 365.05, F.S.

3 Law Implemented: 366.05, F.S.

4 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.01.

5 Repealed .

6 25-7.002 Application and Scope.

7 ~~(1) These rules and regulations shall apply to all gas~~
8 ~~public utilities operating under the jurisdiction of the Florida~~
9 ~~Public Service Commission. They are intended to define good~~
10 ~~practice which can normally be expected, and to promote safe and~~
11 ~~adequate service at reasonable cost to the public. The rules~~
12 ~~also are intended to provide a basis for determining the~~
13 ~~reasonableness of such demands as may be made by the public upon~~
14 ~~the utilities.~~

15 ~~(2) In any case where compliance with any of these rules~~
16 ~~introduces unusual hardship, or if unreasonable difficulty is~~
17 ~~involved in immediate compliance with any particular rule,~~
18 ~~application may be made to the Commission for modification of the~~
19 ~~rule or for temporary exemption from its requirements. If in~~
20 ~~such case compliance with the rule would cost more than the~~
21 ~~results of such compliance are worth to the public and gas~~
22 ~~consumers, it may be vacated by the Commission.~~

23 ~~(3) No derivation from these rules shall be permitted~~
24 ~~unless authorized in writing by the Commission.~~

25 ~~(4) The adoption of these rules shall in no way preclude~~

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1 ~~the Commission, upon complaint, upon its own motion or upon the~~
2 ~~application of any utility, from altering or amending them, in~~
3 ~~whole or in part, or from requiring any other additional service,~~
4 ~~equipment, facility, or standard, or from making such~~
5 ~~modifications with respect to their application as may be found~~
6 ~~necessary to meet exceptional conditions.~~

7 ~~(5) The adoption of these rules shall not in any way~~
8 ~~relieve any utility from any of its duties under the laws of this~~
9 ~~State.~~

10 Specific Authority: 366.05(1), F.S.

11 Law Implemented: 366.03, F.S.

12 History: Repromulgated 1/6/75, 5/4/75, formerly 25-7.02₁

13 Repealed.

14 25-7.004 Reference to Commission. ~~In the event of any~~
15 ~~dispute involving the interpretation of any of these rules and~~
16 ~~regulations, any party in interest may refer the matter to the~~
17 ~~Commission for adjudication.~~

18 Specific Authority: 366.05, F.S.

19 Law Implemented: 366.05(1), F.S.

20 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.04₁

21 Repealed.

22 25-7.016 System Maps and Records.

23 (1) ~~Each utility shall maintain and, upon request, provide~~
24 ~~to the Commission an adequate description or maps to define the~~
25 ~~territory which it holds itself in readiness to serve.~~

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1 ~~(2) Each utility shall keep suitable maps or records to~~
2 ~~show size, location, character, date of installation and~~
3 ~~installed cost of major items of plant.~~

4 Specific Authority: 366.05, F.S.

5 Law Implemented: 366.05(1), F.S.

6 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.16.

7 Repealed.

8 25-7.017 Operating Records. ~~As required by the Commission~~
9 ~~each utility shall keep appropriate operating records for use in~~
10 ~~statistical and analytical studies for regulatory purposes. Such~~
11 ~~records shall include data relative to gas manufactured,~~
12 ~~produced, or purchased; amount of gas sent out; amount of coal,~~
13 ~~oil,~~
14 ~~and gas used; average heating value of gas; pressures of gas sent~~
15 ~~into system; labor charges, etc., and such other details of plant~~
16 ~~operation as may be necessary substantially to reproduce its~~
17 ~~operations.~~

18 Specific Authority: 366.06, F.S.

19 Law Implemented: 366.05(1), 366.06, F.S.

20 History: Amended 10/20/73, Repromulgated 1/8/75, 5/4/75,
21 formerly 25-7.17, Repealed.

22 25-7.034 Design and Construction of Plant. ~~The plant and~~
23 ~~facilities of the utility shall be designed, constructed,~~
24 ~~installed, maintained, and operated in accordance with accepted~~
25 ~~good practice to insure as far as reasonably possible continuity~~

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1 ~~of service, uniformity in the quality of service furnished, and~~
2 ~~the safety of persons and property.~~

3 Specific Authority: 366.05, F.S.

4 Law Implemented: 366.05(1), F.S.

5 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.34.

6 Repealed.

7 25-7.035 Inspection of Plant. ~~Each utility shall inspect~~
8 ~~its plant and facilities in such manner and with such frequency~~
9 ~~as may be necessary to insure a reasonably complete knowledge as~~
10 ~~to their condition and adequacy at all times.~~

11 Specific Authority: 366.05, F.S.

12 Law Implemented: 366.05(1), F.S.

13 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.35.

14 Repealed.

15 25-7.036 Extent of System Which Utility Shall Maintain.
16 ~~Each gas utility, unless specifically relieved in any case by the~~
17 ~~Commission from such obligation, shall operate and maintain in~~
18 ~~safe, efficient, and proper condition all of the facilities and~~
19 ~~equipment used in connection with the distribution, regulation,~~
20 ~~measurement, and delivery of gas to any customer up to and~~
21 ~~including the point of delivery into the piping owned by the~~
22 ~~consumer.~~

23 Specific Authority: 366.05, F.S.

24 Law Implemented: 366.05(1), F.S.

25 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.36.

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1 Repealed.

2 25-7.051 Gas Shut-Off Valves.

3 ~~(1) Each gas service line shall include a suitable shut-off~~
4 ~~valve in a readily accessible location that, if feasible, is~~
5 ~~outside of the structure served.~~

6 ~~(2) Each shut-off valve shall be installed upstream of the~~
7 ~~regulator or, if there is no regulator, upstream of the meter.~~

8 Specific Authority: 366.05(1), F.S.

9 Law Implemented: 366.05(1), F.S.

10 History: Amended 10/20/73, Repromulgated 1/8/75, 5/4/75,
11 formerly 25-7.51, Repealed.

12 25-7.052 Odorization.

13 ~~(1) All gas supplied by utilities to customers shall~~
14 ~~possess in its natural state or be so treated as to possess a~~
15 ~~distinctive and readily detectable odor to act as an indication~~
16 ~~of its presence before delivery to the customer. In addition,~~
17 ~~all liquefied hydrocarbon gas shall be so odorized before or at~~
18 ~~the time it is placed in the storage vessel at the utility's~~
19 ~~plant or station.~~

20 ~~(2) Upon request the company shall report the kind and~~
21 ~~method of odorization.~~

22 Specific Authority: 366.05(1), F.S.

23 Law Implemented: 366.05(1), F.S.

24 History: Amended 10/20/73, Repromulgated 1/8/75, 5/4/75,
25 formerly 25-7.52, Repealed.

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1 25-7.055 Liquefied Petroleum Gas Facilities. ~~In these~~
2 ~~utilities having liquefied petroleum gas installations wherein~~
3 ~~such gases are stored and used in conjunction with utility~~
4 ~~production, operation, and maintenance of such facilities shall~~
5 ~~conform to the standards as set forth in Rule 25-12.05.~~

6 Specific Authority: 366.05(1), F.S.

7 Law Implemented: 366.05(1), F.S.

8 History: Repromulgated 1/8/75, 5/4/75, Amended 5/27/82, formerly
9 25-7.55, Repealed.

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1 25-12.001 Authorization.

2 ~~The statutory power granted to the Florida Public Service~~
3 ~~Commission to establish rules and standards for safe design,~~
4 ~~installation, operation and maintenance of gas systems is~~
5 ~~contained in Section 368.05, Florida Statutes.~~

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

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

8 History: New 6/20/67, Amended 3/7/70, 11/14/70, Repromulgated
9 10/7/75, formerly 25-12.01, Repealed.

10 25-12.002 Application.

11 ~~(1) These rules and regulations shall apply to pipeline~~
12 ~~facilities and the transportation of gas within the State of~~
13 ~~Florida as defined herein.~~

14 ~~(2) The adoption of these rules shall in no way relieve any~~
15 ~~operator from any duties under the laws of this State.~~

16 ~~(3) No deviation from these rules shall be permitted unless~~
17 ~~authorized in writing by the Commission. In cases where~~
18 ~~compliance with these rules introduces unusual hardship, or if~~
19 ~~unreasonable difficulty is involved in immediate compliance with~~
20 ~~any particular rule, petition may be made to the Commission for~~
21 ~~consideration.~~

22 ~~(4) It is not intended that these rules be applied~~
23 ~~retroactively to existing installations insofar as design,~~
24 ~~fabrication, installation, and testing are concerned. However~~
25 ~~the provisions of these rules shall be applicable to the~~

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1 operation, maintenance and uprating of existing installations.

2 ~~(5) The adoption of these rules shall in no way preclude~~
3 ~~the Commission, upon complaint, upon its own motion or upon the~~
4 ~~petition of any operator from altering or amending them, in whole~~
5 ~~or in part, or from requiring additional reports as may be deemed~~
6 ~~necessary, or from making such modifications with respect to~~
7 ~~their petitions as may be found necessary to meet new or~~
8 ~~exceptional conditions.~~

9 ~~(6) Nothing in these rules shall be construed to make the~~
10 ~~operator liable for the condition or maintenance of piping and~~
11 ~~appliances beyond the outlet of the operator's meter other than~~
12 ~~ascertaining that required tests have been made, nor shall the~~
13 ~~operator be held liable for any continuing duty of inspection of~~
14 ~~such piping or appliances.~~

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

16 Law Implemented: 368.03, F.S.

17 History: New, 6/24/67, Amended 3/7/70, 11/14/70, Repromulgated
18 10/7/75, Amended 10/2/84, formerly 25-12.02, Repealed _____.

19 25-12.003 Scope.

20 ~~(1) These rules cover the design, fabrication,~~
21 ~~installation, inspection, testing, conditions of use, and safety~~
22 ~~standards for installation, operation and maintenance of gas~~
23 ~~pipelines, meaning all parts of those physical facilities through~~
24 ~~which gas is moved in transportation and including appurtenances~~
25 ~~thereto, up to the outlet of the operator's meter.~~

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1 ~~(2) These rules are concerned with the use of liquefied~~
2 ~~petroleum gases only to the extent that they are used and stored~~
3 ~~on the operator's property for use as stand by or peak shaving in~~
4 ~~connection with its gas facilities.~~

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

6 Law Implemented: 368.03, F.S.

7 History: New 6/24/67, Amended 3/7/70, 11/14/70, 9/21/74,

8 Repromulgated 10/7/75, Amended 10/2/84, formerly 25-12.03,

9 Repealed.

10 25-12.006 Commission Interpretation of Rules.

11 ~~In the event of any dispute involving the interpretation of~~
12 ~~any of these rules or adopted standards or codes, any party in~~
13 ~~interest may petition the Commission for adjudication.~~

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

15 Law Implemented: 368.03, F.S.

16 History: New 11/14/70, Repromulgated 10/7/75, Amended 10/2/84,

17 formerly 25-12.06, Repealed.

18 25-12.010 Employee Education.

19 ~~Each operator shall maintain an active training program for~~
20 ~~the purpose of educating each employee relative to procedures,~~
21 ~~plans and specifications required by these rules and adopted~~
22 ~~codes or standards as they affect the employee's specific duties~~
23 ~~and responsibilities.~~

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

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

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1 History: New 11/14/70, Amended 9/21/74, Repromulgated 10/7/75,
2 formerly 25-12.10, Repealed.

3 25-12.023 Limitations on Underground Threaded Joints.

4 ~~When threaded joints are used to connect portions of a~~
5 ~~pipeline and such joints are to be buried.~~

6 ~~(1) "Jacking" or similar operations which impose abnormal~~
7 ~~stresses on the threaded joint are prohibited.~~

8 ~~(2) All joints must be externally coated with a material~~
9 ~~suitable for corrosion control prior to burial.~~

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

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

12 History: New 9/21/74, Repromulgated 10/7/75, formerly 25-12.23,
13 Repealed.

14 25-12.025 Limitations on Materials Used.

15 ~~Pressure containing components which do not conform to~~
16 ~~standards or specifications adopted by these rules may be~~
17 ~~qualified by petitioning the Commission for approval. Such~~
18 ~~petition must, if possible, identify the material with a~~
19 ~~comparable material, and it must be shown that the material will~~
20 ~~comply with specifications of the compared material except as~~
21 ~~noted. Complete information as to the chemical composition and~~
22 ~~physical properties shall be supplied to the Commission and the~~
23 ~~Commission's approval must be obtained prior to use.~~

24 Specific Authority: 368.04(2), F.S.

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

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1 History: New 9/21/74, Repromulgated 10/7/75, formerly 25-12.25,
2 Repealed.

3 25-12.026 Service Regulator Requirements.

4 ~~Any regulating device used as a service regulator must be~~
5 ~~used in conjunction with a relief valve or other over pressure~~
6 ~~protection equipment. Any relieving device must be vented to the~~
7 ~~outside atmosphere with the relief valve set to open to prevent~~
8 ~~the pressure of gas going to the customer from exceeding a~~
9 ~~maximum safe value. A relief valve may either be built into the~~
10 ~~regulator or it may be a separate unit installed downstream.~~

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

12 Law Implemented: 368.03, F.S.

13 History: New 9/21/74, Repromulgated 10/7/75, formerly 25-12.26,
14 Repealed.

15 25-12.039 Operating and Maintenance Plans.

16 ~~(1) Each operator must have on file with this Commission a~~
17 ~~comprehensive plan for the operation and maintenance of each~~
18 ~~pipeline facility transporting gas under the operator's control.~~
19 ~~All work performed must conform with this plan.~~

20 ~~(2) The plan shall be reviewed, kept up to date and revised~~
21 ~~as changes are made in operating and maintenance requirements for~~
22 ~~the pipeline facility. Such revisions are required to be filed~~
23 ~~with the Commission within 30 days.~~

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

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

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1 History: New 11/14/70, Amended 9/21/74, Repromulgated 10/7/75,
2 Amended 10/2/84, formerly 25-12.81, formerly 25-12.39, Repealed

3
4 25-12.048 Inspection of Vaults.

5 ~~Each vault housing a pressure limiting, pressure relief or~~
6 ~~pressure regulating station shall be inspected at intervals not~~
7 ~~exceeding fifteen (15) months, but at least each calendar year,~~
8 ~~to determine that:~~

9 ~~(1) It is structurally sound and that there is no bearing~~
10 ~~upon the pipeline facilities.~~

11 ~~(2) The cover presents no hazard to the public or the~~
12 ~~equipment in the vault.~~

13 ~~(3) Pipeline facilities in the vault are adequately~~
14 ~~protected from external corrosion.~~

15 ~~(4) Venting and/or ventilating equipment, if required, is~~
16 ~~in proper operating condition.~~

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

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

19 History: New 9/21/74, Repromulgated 10/7/75, Amended 10/2/84,
20 formerly 25-12.48, Repealed.

21 25-12.051 Corrosion Requirements for Steel Tubing.

22 ~~Cathodic protection to at least the degree required in~~
23 ~~Subpart I, Part 192, Title 49, CFR, and these rules, must be~~
24 ~~applied to buried steel tubing used as a pipeline prior to~~
25 ~~placing it into operation.~~

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

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

3 History: New 9/21/74, Repromulgated 10/7/75, Amended 10/2/84,
4 formerly 25-12.51, Repealed.

5 25-12.064 Materials.

6 ~~Records shall be kept sufficient to prove that all materials~~
7 ~~and components used or intended to be used in the gas pipeline~~
8 ~~meet the applicable specifications listed in these rules or~~
9 ~~adopted standards.~~

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

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

12 History: New 6/24/67, Amended 11/15/70, 9/21/74, Repromulgated
13 10/7/75, formerly 25-12.64, Repealed.

14 25-12.065 Construction Records.

15 ~~Records of any construction or replacement of pipelines~~
16 ~~shall be maintained sufficient to show the nature of the work~~
17 ~~done, its actual location, the date of installation and the date~~
18 ~~cathodic protection was applied.~~

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

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

21 History: New 6/24/67, Amended 11/14/70, 9/21/74, Repromulgated
22 10/7/75, Amended 10/2/84, formerly 25-12.65, Repealed.

23 25-12.066 Testing Records.

24 ~~A record shall be made of all strength or leak tests~~
25 ~~required by these rules and adopted codes and standards. The~~

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1 ~~test records for the operator's facilities shall include the~~
2 ~~location of the pipeline, length, diameter, type facility,~~
3 ~~pressure sustained, duration of test and date of test.~~

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

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

6 History: New 6/24/67, Amended 11/14/70, 9/21/74, Repromulgated
7 10/7/75, Amended 10/2/84, formerly 25-12.66, Repealed.

8 25-12.067 Operation and Maintenance Records.

9 ~~Records sufficient to show compliance with the applicable~~
10 ~~operation and maintenance requirements of these rules or adopted~~
11 ~~standards shall be established and maintained. Records shall~~
12 ~~allow easy identification of each device or facility and its~~
13 ~~location, show work performed and date the work was performed.~~

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

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

16 History: New 6/24/67, Amended 11/14/70, 9/21/74, Repromulgated
17 10/7/75, Amended 10/2/84, formerly 25-12.67, Repealed.

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