

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

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

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

(a) 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 more than 90 days after the notice but not less than 21 days from the date of publication of the notice of change; or

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

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
JUN 24 AM 11:33
FILED

DOCUMENT NUMBER-DATE
06753 JUN 26 88
FPSC-RECORDS/REPORTING

✓/ (d) Are filed more than 90 days after the notice, but within 21 days after the adjournment of the final public hearing on the rule; or

✓/ (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

✓/ (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

✓/ (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered.

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 Nos.

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

FILED
98 JUN 24 AM 11:33
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

Under the provision of subparagraph 120.54(3)(e)6., 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)

Kay Flynn for
BLANCA S. BAYO, Director
Division of Records & Reporting

Number of Pages Certified

(S E A L)

CTM

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 services 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~~

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

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA
58 JUN 24 AM 11:33
FILED

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~~

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

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.~~

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

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~~

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

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.

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

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.

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

1 25-7.055 Liquefied Petroleum Gas Facilities. ~~In those~~
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.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

CHAPTER 25-7 GAS SERVICE BY GAS PUBLIC UTILITIES			
PART I GENERAL PROVISIONS		25-7.048	Continuity of Service.
25-7.001	Authorization of Rules.	25-7.049	Testing Equipment.
25-7.002	Application and Scope.	25-7.050	Pressure Requirements.
25-7.003	Definitions.	25-7.051	Gas Shut-off Valves.
25-7.004	Reference to Commission.	25-7.052	Odorization.
PART II RECORDS AND REPORTS		25-7.053	Purity of Gas.
25-7.013	Gross Intrastate Operating Revenue Report. (Repealed)	25-7.054	Extension of Facilities.
25-7.0131	Regulatory Assessment Fees; Gas Utilities, Gas Municipals, and Gas Districts.	25-7.055	Liquefied Petroleum Gas Facilities.
25-7.014	Records and Reports in General.	25-7.056	Installation Practices. (Repealed)
25-7.0141	Allowance for Funds Used During Construction.	25-7.057	Temporary Service.
25-7.015	Location and Preservation of Records.	25-7.058	Resale.
25-7.016	System Maps and Records.	25-7.059	Use of Meters.
25-7.017	Operating Records.	25-7.060	Location of Meters and Associated Appurtenances.
25-7.018	Record of Interruptions.	25-7.061	Meter Testing Equipment.
25-7.019	Record of Applications for Service.	25-7.062	Meter Test Records.
25-7.020	Record of Complaints.	25-7.063	Meter Accuracy at Installation.
25-7.021	Records of Meters and Meter Tests.	25-7.064	Periodic Meter Tests.
25-7.022	Customer Account Records.	25-7.065	Meter Test by Request.
25-7.023	Interest on Customer Deposits. (Repealed)	25-7.066	Meter Test — Referec.
25-7.024	Rate of Return Report. (Repealed)	25-7.067	Heating Value Standards for Manufactured Gas.
PART III GENERAL MANAGEMENT REQUIREMENTS		25-7.068	Heating Value Tests.
25-7.033	Tariffs.	25-7.069	Calorimeter Equipment.
25-7.034	Design and Construction of Plant.	25-7.070	Sealing Meters.
25-7.035	Inspection of Plant.	25-7.071	Measuring Customer Service.
25-7.036	Extent of System Which Utility Shall Maintain.	PART V CUSTOMER RELATIONS	
25-7.037	Change in Character of Service.	25-7.079	Information to Customers.
25-7.038	Response to Commission Staff Inquiries.	25-7.080	Complaints — Service Requests.
25-7.039	Natural Gas Utility Minimum Filing Requirements; Commission Designee.	25-7.081	Initiation of Service.
25-7.040	Interim Rate Relief.	25-7.082	Utilization by Customers. (Repealed)
25-7.041	Natural Gas Utility Modified Minimum Filing Requirements Report.	25-7.083	Customer Deposits.
25-7.045	Depreciation.	25-7.084	Meter Readings.
25-7.046	Subcategories of Gas Plant for Depreciation.	25-7.085	Customer Billing.
25-7.0461	Capitalization Versus Expensing.	25-7.0851	Backbilling.
PART IV GENERAL SERVICE PROVISIONS		25-7.086	Conjunctive or Cumulative Billing.
25-7.047	Territorial Agreements and Disputes for Natural Gas Utilities — Definitions.	25-7.087	Adjustment of Bills for Meter Error.
25-7.0471	Territorial Agreements for Natural Gas Utilities.	25-7.088	Termination of Service by Customer.
25-7.0472	Territorial Disputes for Natural Gas Utilities.	25-7.089	Refusal or Discontinuance of Service by Utility.
25-7.0473	Customer Participation.	25-7.090	Delinquent Bills.
		25-7.091	Refunds.
		PART X	
		Subpart A Accounting Reports	
		25-7.135	Annual Reports.
		25-7.1351	Diversification Reports.
		25-7.1352	Earnings Surveillance Report.
		25-7.1353	Forecasted Earnings Surveillance Report.
		Subpart B Revenue Requirements	
		25-7.140	Test Year Notification; Proposed Agency Action Notification.
		PART I GENERAL PROVISIONS	
		25-7.001 Authorization of Rules. The statutory power granted to the Florida Public	

Light
Copy

Service Commission to establish rules and fix standards for gas utility service is contained in Subsection (1) of Section 366.03, Florida Statutes, which states as follows:

"In the exercise of such jurisdiction, the Commission shall have power to prescribe fair and reasonable rates and charges, classifications, standards of quality and measurements, and service rules and regulations to be observed by each public utility; to prescribe uniform system and classification of accounts for all public utilities which among other things shall set up adequate, fair, and reasonable depreciation rates and charges; to require the filing by each public utility of periodic reports and all other reasonably necessary data; to require repairs, improvements, additions, and extensions to the plant and equipment of any public utility reasonably necessary to promote the convenience and welfare of those reasonably entitled thereto; to employ and fix the compensation for such examiners, and technical, legal and clerical employees as it deems necessary to carry out the provisions of this Chapter; to prescribe all rules and regulations reasonably necessary and appropriate for the administration and enforcement of this Chapter; and to exercise all judicial powers, issue all writs and do all things necessary or convenient to the full and complete exercise of its jurisdiction and the enforcement of its orders and requirements."

Specific Authority 366.03 FS. Law Implemented 366.03 FS. History—Repromulgated 1-8-75, 5-4-75, Formerly 25-7.01.

25-7.002 Application and Scope.

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

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

(3) No deviation from these rules shall be permitted unless authorized in writing by the Commission.

(4) The adoption of these rules shall in no way preclude the Commission, upon complaint, upon its own motion or upon the application of any utility, from altering or amending them, in whole or in part, or from requiring any other additional service, equipment, facility, or standard, or from making such modifications with respect to their application

as may be found necessary to meet exceptional conditions.

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

Specific Authority 366.03(1) FS. Law Implemented 366.03 FS. History—Repromulgated 1-8-75, 5-4-75, Formerly 25-7.02.

25-7.003 Definitions. For the purpose of these rules, the following definitions apply:

(1) "Commission." Unless a different intent clearly appears from the context, the word "commission" when used in these rules shall be taken to mean the Florida Public Service Commission.

(2) "Utility." Except where a different meaning clearly appears from the context, the word or words "utility" or "gas utility" as used in these rules shall have the same meaning as set out for "public utility" in Chapter 366, Section 2, of the Florida Statutes, and shall include all such utilities subject to Commission jurisdiction.

(3) "Customer." Any person, firm, partnership, company, corporation, municipality, cooperative, organization, governmental agency, or similar organization supplied with gas service by any such gas utility.

(4) "Gas." Gas is any gas or mixture of gases suitable for domestic or industrial fuel and transmitted or distributed to the user through a piping system. However, this does not include liquefied petroleum gases in the vapor or liquid state when furnished by a utility not subject to Commission jurisdiction under the provisions of Chapter 366.02, Florida Statutes. The common types are natural gas, manufactured gas, and liquefied petroleum gas distributed as a vapor with the admixture of air.

(5) "Manufactured Gas." The term "manufactured gas" as used in these rules shall be construed to mean any gas artificially produced by any generating or processing equipment, exclusive of "hydrocarbon gas."

(6) "Natural Gas." The term "natural gas" as used in these rules shall be construed to mean any gases taken into the transmission or distribution systems in their natural state as they come from the well or from oil separating or gasoline extraction apparatus.

(7) "Mixed Gas." The term "mixed gas" as used in these rules shall be construed to mean any mixture of two or more gases of materially different physical character or chemical composition mixed inside or outside of any generating or processing equipment or any well, separating, or extracting plant, except undiluted liquefied petroleum gases when furnished by a utility not subject to Commission jurisdiction under the provisions of Chapter 366.02, Florida Statutes.

(8) "Main." Gas main or distribution main is a pipe installed in a community to convey gas to individual services or other mains.

(9) "Service Line." Service line is the distribution line that transports gas from a common

source of supply to (1) a customer meter or the connection to a customer's piping, whichever is farther downstream, or (2) the connection to a customer's piping if there is no customer meter.

(10) "Service Regulator." Service regulator is a regulator installed on a gas service to control the pressure of the gas delivered to the customer.

(11) "Standard Service Pressure." Standard service pressure is the gas pressure which a utility undertakes to maintain on its domestic customer meters, sometimes called the normal utilization pressure.

(12) "Customer Meter." Customer meter is a meter which measures gas delivered to a customer for consumption on his premises.

(13) "Cubic Foot." The term "cubic foot" of gas as used in these rules shall have the following meanings:

(a) In cases where gas is supplied and metered to customers at the standard delivery pressure, a cubic foot of gas shall be defined to be the volume of gas which, at the temperature and pressure existing in the meter, occupies one cubic foot.

(b) When gas is supplied to customers at other than the standard service pressure, the utility shall define in its rules and/or gas sales contracts bases for measurement of a cubic foot of gas. Unless otherwise stated, such cubic foot of gas shall be that quantity of gas which, at a temperature of 60° F. and at absolute pressure of 14.73 pounds per square inch (30 inches of mercury) occupies one cubic foot.

(c) The standard cubic foot of gas for testing the gas itself for heating value shall be that volume of gas which, when saturated with water vapor and at a temperature of 60° F. and under a pressure equivalent to that of 30 inches of mercury (mercury at 32° F. and under standard gravity) occupies one cubic foot.

(14) "British Thermal Unit." The term "British thermal unit" (BTU) shall mean the quantity of heat required to raise the temperature of one pound of water one degree Fahrenheit.

(15) "Therm." The word "therm" is used to denote a unit of heating value equivalent to one hundred thousand (100,000) British thermal units.

Other technical terms and expressions used in these rules and not herein defined are to be given the meaning usually accepted in the industry.

Specific Authority 366.05(1) FS. Law Implemented 366.02, 366.05(1) FS. History—Amended 10-20-73, Repromulgated 1-8-75, 5-4-75, Formerly 25-7.03.

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

Specific Authority 366.05 FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75, Formerly 25-7.04.

PART II RECORDS AND REPORTS

25-7.013 Gross Intrastate Operating Revenue Report.

Specific Authority 350.12(2)(m) FS. Law Implemented 350.13(12)(m) FS. History—New 7-3-74, Repromulgated 1-8-75, 5-4-75, Repealed 5-18-83, Formerly 25-7.13.

25-7.0131 Regulatory Assessment Fees; Gas Utilities, Gas Municipals, and Gas Districts.

(1) As applicable and as provided in s. 350.113, F.S. (1985) and s. 366.14, F.S. (1989), each gas utility, municipal, or gas district shall remit a fee based upon its gross operating revenue. This fee shall be referred to as a regulatory assessment fee. Regardless of the gross operating revenue of a company, a minimum annual regulatory assessment fee of \$25 shall be imposed.

(a) Each investor-owned gas utility shall pay a regulatory assessment fee in the amount of 0.375 percent of its gross operating revenue derived from intrastate business, excluding sales for resale between public utilities, municipal gas utilities, and gas districts or any combination thereof.

(b) Each municipal or gas district shall pay a regulatory assessment fee in the amount of 0.1919 percent of its gross operating revenue derived from intrastate business, excluding sales for resale between public utilities, municipal gas utilities, and gas district or any combination thereof.

(2) Regulatory assessment fees are due each January 30 for the preceding period or any part of the period from July 1 until December 31, and on July 30 for the preceding period or any part of the period from January 1 until June 30. The regulatory assessment fees shall be remitted with the Commission's Regulatory Assessment Fee Return form PSC/EAG 3, or PSC/EAG 37 (Rev. 4-25-90) which are hereby incorporated by reference and may be obtained from: Florida Public Service Commission, Division of Administration, 101 East Gaines Street, Tallahassee, Florida 32399. Each utility, municipal, and gas district shall have up to and including the due date in which to:

- Remit the total amount of its fee, or
- Remit an amount which the utility, municipal, or gas district estimates is its full fee, or
- Seek and receive from the Commission a 30-day extension of its due date.

(3) Where the utility, municipal, or gas district remits less than its full fee pursuant to subsection (2)(b) of this rule, the remainder of the full fee shall be due on or before the 30th day from the due date and shall, where the amount remitted was less than 90% of the total regulatory assessment fee, include interest as provided by subsection (5)(b) of this rule.

(4) Where a utility, municipal, or gas district receives a 30-day extension of its due date pursuant

Light
Copy

initiated after the effective date of this rule. The foregoing notwithstanding, those provisions will become effective for all utilities no later than January 1, 1989.

Specific Authority 350.127(2), 366.05(1) FS. Law Implemented 350.115, 366.05(1), 366.06(1) FS. History—New 8-11-86, Formerly 25-7.141, Amended 11-13-86, 12-7-87.

25-7.015 Location and Preservation of Records.

(1) All records that a utility is required to keep, by reason of these or other rules prescribed by the Commission, shall be kept at the office or offices of the utility within the state, unless otherwise authorized by the Commission. Such records shall be open for inspection by the Commission or its authorized representatives at any and all reasonable times.

(2) Any utility authorized to keep its records outside of the state shall reimburse the Commission for reasonable travel expense of the Commission's representative during any out-of-state audit.

(3) All records shall be preserved in accordance with the Federal Energy Regulatory Commission's regulations, Title 18, Subchapter F, Part 225, Code of Federal Regulations, entitled "Preservation of Records of Natural Gas Companies" as revised, April 1, 1987.

Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 366.05(1) FS. History—Amended 7-19-72, Repronulgated 1-8-75, Amended 5-4-75, 12-30-75, 9-28-81, 11-18-82, Formerly 25-7.15, Amended 10-1-86, 4-3-88.

25-7.016 System Maps and Records.

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

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

Specific Authority 366.05 FS. Law Implemented 366.05(1) FS. History—Repronulgated 1-8-75, 5-4-75, Formerly 25-7.16.

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

Specific Authority 366.05(1) FS. Law Implemented 366.05(1), 366.06 FS. History—Amended 10-20-73, Repronulgated 1-8-75, 5-4-75, Formerly 25-7.17.

ANNOTATIONS

Constitutionality

F. S. A. 366.065, which purported to prevent discrimination and unreasonable gas profits, was challenged by natural gas distributor and declared

unconstitutional. No broad public interest justified its infringement upon existing contracts due to one-sided application, and it failed to give notice to legislators and public that statutory exemption was being partially repealed. United Gas Pipe Line Company v. Bevis, 336 So. 2d 560 (1976).

25-7.018 Record of Interruptions. Each utility shall keep a complete record of all interruptions affecting the lesser of 10 percent (10%) or 500 or more of its division meters; such record shall show cause for interruption, date, time, duration, remedy, and steps taken to prevent recurrence. The Commission shall be notified of any such interruptions as soon as they come to the attention of the utility and a complete report made after restoration of service.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Amended 10-20-73, Repronulgated 1-8-75, 5-4-75, Formerly 25-7.18.

25-7.019 Record of Applications for Service. Each utility shall accept and keep a record of each application for service within its service area. The record shall show the name and address of the applicant, date of application, date service is desired and, in those instances where service is not initiated promptly, the reason for the delay. Such records shall be preserved until service is made available or as otherwise provided under Rule 25-7.015(2).

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Amended 10-20-73, Repronulgated 1-8-75, 5-4-75, Formerly 25-7.19.

25-7.020 Record of Complaints. Each utility shall keep a record of all complaints received, which record shall show the name and address of the complainant, the date and time of day received, the nature of the complaint, the result of any investigation, the disposition of the complaint and the date of such disposition. Cf. Rule No. 25-7.080(1) for definition of "complaint" for purpose of this rule.

Specific Authority 366.05 FS. Law Implemented 366.05(1) FS. History—Repronulgated 1-8-75, 5-4-75, Formerly 25-7.20.

25-7.021 Records of Meters and Meter Tests.

(1) There shall be kept by each utility a permanent meter record, indicating for each meter owned or used by the utility for any purpose, the date of purchase, identification number, size or capacity, date and place of each installation and removal for the last three locations where the meter was installed. These records shall be preserved until the meter is destroyed or permanently removed from service.

(2) The original test data shall be recorded on the utilities' standard forms and preserved at least until superseded by a later test. These records shall indicate (1) sufficient information to identify the meter; (2) the reason for the test; (3) the date of the test and reading of the meter; (4) the computed accuracy both "as found" and "as left"; (5) repairs made, if any; and (6) identification of the person performing test.

(3) Every gas utility shall, upon request, report a summary of the "as found" tests in such form as may

Light
Copy

be designated by the Commission.

(4) Every gas utility shall file a report with the Electric and Gas Department of the Commission on or before February 10 of each year on such forms as may be prescribed. Such reports shall contain complete information regarding number of meters in service according to installation date, number of meters tested, meters past due for tests, refunds and all other information requests.

Specific Authority 366.05 FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, Amended 5-4-75, 2-13-84, Formerly 25-7.21.

25-7.022 Customer Account Records. Each utility shall keep a record of each customer's account in such manner as will permit reproduction of the customer's bill for any billing period occurring within the period required to comply with Rules 25-7.015(2) and 25-7.087.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—New 6-1-73, Amended 4-1-69, Repromulgated 1-8-75, 5-4-75, Formerly 25-7.22.

25-7.023 Interest on Customer Deposits.

Specific Authority 366.05(1) FS. Law Implemented 366.03 FS. History—Amended 10-20-73, Repromulgated 1-8-75, 5-4-75, Repealed 6-15-76, Formerly 25-7.23.

25-7.024 Rate of Return Report.

Specific Authority 350.127(2) FS. Law Implemented 350.117(1), 366.04(2)(f), 366.03(1) FS. History—New 11-18-82, Formerly 25-7.24, Amended 4-23-92, Repealed 6-9-94.

PART III GENERAL MANAGEMENT REQUIREMENTS

25-7.033 Tariffs.

(1) Any utility may adopt such additional uniform non-discriminatory rules and regulations governing its relations with customers as it finds necessary or desirable and which are not inconsistent with these rules. Such rules and regulations shall constitute an integral part of the utility's tariffs and be filed with them.

(2) Each utility shall file with the Commission tariffs containing schedules for all rates and charges and copies of all rules and regulations governing the relation of customer and utility. Such tariff filing shall be in the manner and form as prescribed by the Commission under separate rules entitled "Construction and Filing of Tariffs by Public Utilities."

(3) No rules and regulations, or schedules of rates or charges, or modifications or revisions of the same, shall be effective until filed with and approved by the Commission as provided by law.

(4) A copy of the rules contained herein, as promulgated and adopted by the Commission, also a copy of the rate schedules and rules and regulations of the utility as filed with the Commission, shall be kept on file in the local commercial offices of the utility for inspection by the customers upon request.

Specific Authority 366.05(1) FS. Law Implemented 366.03(1), 366.06 FS. History—Amended 10-20-73, Repromulgated 1-8-75, 5-4-75, Formerly 25-7.33.

ANNOTATIONS

Constitutionality

F. S. A. 366.065, which purported to prevent discrimination and unreasonable gas profits, was challenged by natural gas distributor and declared unconstitutional. No broad public interest justified its infringement upon existing contracts due to one-sided application, and it failed to give notice to legislators and public that statutory exemption was being partially repealed. United Gas Pipe Line Company v. Bevis, 316 So. 2d 360 (1976).

Effective date

Commission followed law regarding prospective ratemaking when it ordered power company to begin billing under new rates on meter readings taken 30 days after effective date of new rates, which was date when issues were decided and official vote taken, rather than date when written order was issued. Gulf Power Company v. Cresse, 410 So. 2d 492 (1982).

25-7.034 Design and Construction of Plant.

The plant and facilities of the utility shall be designed, constructed, installed, maintained, and operated in accordance with accepted good practice to insure as far as reasonably possible continuity of service, uniformity in the quality of service furnished, and the safety of persons and property.

Specific Authority 366.05 FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75, Formerly 25-7.34.

25-7.035 Inspection of Plant.

Each utility shall inspect its plant and facilities in such manner and with such frequency as may be necessary to insure a reasonably complete knowledge as to their condition and adequacy at all times.

Specific Authority 366.05 FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75, Formerly 25-7.35.

25-7.036 Extent of System Which Utility Shall Maintain.

Each gas utility, unless specifically relieved in any case by the Commission from such obligation, shall operate and maintain in safe, efficient, and proper condition all of the facilities and equipment used in connection with the distribution, regulation, measurement, and delivery of gas to any customer up to and including the point of delivery into the piping owned by the consumer.

Specific Authority 366.05 FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75, Formerly 25-7.36.

25-7.037 Change in Character of Service.

Any changes in heating value, pressure, specific gravity, gas composition, or other condition or characteristic which would impair the safe, efficient utilization of the gas in the customer's appliances shall not be made without the prior approval of the Commission and without adequate notice to the customers. Any such change shall be accompanied by a general inspection and adjustment of all appliances that would be affected thereby to the extent necessary that the appliance may operate as efficiently and give as good service as was possible before the change. This shall be done promptly, without direct charge, and with a minimum of inconvenience to the customer.

Light
Copy

(3) The provisions of this rule shall not apply to customers receiving service under so-called interruptible rate classifications.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75. Formerly 25-7.45.

25-7.049 Testing Equipment.

(1) Each utility shall provide or have access to all testing equipment and facilities as may be necessary to make the tests required by these rules or other orders of the Commission.

(2) The apparatus and equipment so provided shall be of an approved type, properly maintained, and subject to the approval of the Commission's Electric and Gas Department. All such equipment shall be available for inspection by representatives of the Commission at any reasonable time.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75. Amended 5-4-75, 2-13-84. Formerly 25-7.49.

25-7.050 Pressure Requirements.

(1) The utility shall make every reasonable effort necessary to maintain adequate gas pressure. Each utility shall make such determinations and keep such records of pressures as will enable it to have at all times a substantially accurate knowledge of the pressure existing in each district or division of its distribution system. These pressure records shall be properly identified, dated, and filed.

(a) All recording pressure gauges shall be tested periodically and maintained in a reasonably accurate condition.

(2) Where the gas pressure maintained at a customer's service exceeds the established pressure standard, the utility shall install an approved service regulator which shall be set to deliver gas at the established standard delivery pressure.

(3) The standard service pressure of gas supplied by any utility shall be maintained as uniform as practicable and, as measured at the outlet of the service meter, shall be not less than

three inches (3") nor more than fifteen inches (15") water column.

(a) In cases where greater pressure is specified and provided for in the contract or agreement between the utility and the customer, the utility may supply gas at the desired pressure and the volume of such gas shall be computed as described under Rule 25-7.003(13)(b).

Specific Authority 366.05(1) FS. Law Implemented 366.05(1), 366.05(3) FS. History—Amended 10-20-73. Repromulgated 1-8-75, 5-4-75. Formerly 25-7.50.

25-7.051 Gas Shut-off Valves.

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

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

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Amended 10-20-73. Repromulgated 1-8-75, 5-4-75. Formerly 25-7.51.

25-7.052 Odorization.

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

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

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Amended 10-20-73. Repromulgated 1-8-75, 5-4-75. Formerly 25-7.52.

ANNOTATIONS

Applicability

In suit resulting from explosion of unodorized gas, jury question was presented as to applicability of regulations of Public Service Commission requiring odorization of gas by

Light
Copy

gas company which supplies gas to ultimate consumer through service line. *Noa v. United Gas Pipeline Company, 305 So. 2d 182 (1974).*

Evidence

*Expert testimony may be adduced to show presence or absence of elements which call regulation into play; lower courts erred in not allowing expert testimony regarding interpretation of gas odorization regulation. *Noa v. United Gas Pipeline Company, 305 So. 2d 182 (1974).**

25-7.053 Purity of Gas.

(1) All gas distributed in this state by any utility shall at all times be free from dangerous or objectionable quantities of impurities such as hydrogen sulphide or other impurities which may cause excessive corrosion of mains or piping or form noxious or harmful fumes when burned in a properly designed and adjusted burner. A gas shall be considered free from undesirable impurities when the quantity of any impurity present is within the limits recognized as allowable in good practice.

(2) Each utility shall test the gas in such manner and with such frequency as is necessary to insure compliance with this rule.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75. Formerly 25-7.53.

25-7.054 Extension of Facilities.

(1) Each utility shall develop a standard policy governing the amount of main and/or service extension which will be made free to connect a new customer. The amount of free extension made should be related to the investment that can prudently be made for the anticipated revenue to be received.

(2) A detailed statement of its standard main extension policy shall be filed by each utility as part of its rules and regulations. This policy shall have uniform application and shall be non-discriminatory between consumers whose service requirements are similar.

(3) If a utility and consumer shall be unable to agree in regard to an extension, either party may appeal to the Commission for a review. The Commission, unless special circumstances prevent, will be guided by the following general principles:

(a) Free extensions. The maximum capital investment to be made by the utility for main and service facilities without cost to the customer shall be defined as the maximum allowable construction cost. The maximum allowable construction cost shall equal four times the estimated annual gas revenue to be derived from the facilities less the cost of gas.

(b) Extensions above free limit. When the cost of the extension required to provide service is greater than the free limit specified in (a) above, the utility may require a non-interest bearing advance in aid of construction of the cost in excess of such free limit, provided that:

1. At the end of the first year the utility shall refund to the person paying the advance in aid of construction or his assigns an amount equal to the excess, if any, of the maximum allowable

construction cost calculated using actual gas revenues, less the actual cost of gas, over the maximum allowable construction cost used to determine the amount of the advance in aid of construction.

2. For each additional customer taking service at any point on the extension within a period of five (5) years from date of construction, the utility shall refund to the person paying the advance in aid of construction or his assigns an amount by which the maximum allowable construction cost for the new customer exceeds the cost of connecting the customer, provided that an additional main extension shall have not been necessary to serve the additional customer.

3. The aggregate refund to any customer made through the provisions of 1. and 2. above shall at no time exceed the original advance in aid of construction of such customer.

4. The extension shall at all times be the property of the utility and any unrefunded portion of the advance in aid of construction at the end of five (5) years shall be credited to the plant accounts of the utility.

(c) Nothing in this section (3) shall be construed as prohibiting any utility from establishing extension policies more favorable to consumers so long as no discrimination is practiced between consumers.

(4) The customer may be required to install or to pay in full or in part for the service line from the property line to the customer's piping in accordance with the utility's filed rules and regulations.

Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75, Amended 12-7-82. Formerly 25-7.54.

25-7.055 Liquefied Petroleum Gas Facilities.

In those utilities having liquefied petroleum gas installations wherein such gases are stored and used in conjunction with utility production, operation and maintenance of such facilities shall conform to the standards as set forth in Rule 25-12.005.

Specific Authority 366.05(4) FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75. Amended 5-27-76. Formerly 25-7.55.

25-7.056 Installation Practices.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75. Amended 5-27-76. Formerly 25-7.56, Repealed 8-8-89.

25-7.057 Temporary Service. In the case of temporary service for short-term use, the utility may require the customer to pay all costs of making the service connection and removing the material after service has been discontinued, or to pay a fixed amount in advance to cover such expense; provided, however, that the customer shall be credited with reasonable salvage realized by the utility when service is terminated.

Specific Authority 366.05(1) FS. Law Implemented 366.05(1) FS. History—Repromulgated 1-8-75, 5-4-75. Formerly 25-7.57.

Light
Copy

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
Docket No. 980409-EG

SUMMARY OF RULE

Elimination of unnecessary rules.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The following rules have been identified as unnecessary, duplicative, or obsolete:

25-7.001 Authorization of Rules. Reiterates subsection 366.05(1), Florida Statutes, giving the Commission power to establish rules.

25-7.002 Application and Scope. Clarifies the extent of jurisdiction. Reiterates subsection 366.05(1), Florida Statutes.

25-7.004 Reference to Commission. States that parties may petition the Commission. Provides that an interested party may petition the Commission to adjudicate a dispute involving the interpretation of the rules. Section 120.565, F.S., and Rule 25-22.021, F.A.C., (or the uniform rule which will take its place) provides the same relief.

25-7.016 System Maps and Records. Requires maps of gas

distribution systems. This subject is adequately covered by the gas safety rule, 25-12.061.

25-7.017 Operating Records. Requires each gas utility to keep records, including records of information about purchased gas, gas sent out, average heating value of gas, and pressures of gas sent. This requirement is adequately covered by the gas safety rule, 25-12.067, Operation and Maintenance Records.

25-7.034 Design and Construction of Plant. Sets required design standards for gas facilities. This subject is adequately covered by the Commission's gas safety rules in Chapter 25-12, F.A.C., and Code of Federal Regulations, Part 192, Subparts C, D & G.

25-7.035 Inspection of Plant. Requires gas facilities inspection. This requirement is adequately covered by Rule 25-12.030, F.A.C., Construction Inspection.

25-7.036 Extent of System Which Utility Shall Maintain. Describes the extent of gas distribution systems that must be maintained by a gas utility. This requirement is adequately covered by Chapter 368.03, F.S.

25-7.051 Gas Shut-off Valves. Requires a valve upstream of each gas meter. This requirement is covered by Rule 25-12.022, F.A.C., Requirements for Distribution System Valves.

25-7.052 Odorization. Requires gas to be odorized for safety. This requirement is covered by Rule 25-12.055, F.A.C., Odorization of Gas.

25-7.055 Liquefied Petroleum Gas Facilities. Sets standards for liquefied petroleum facilities that are integrated into gas distribution systems. The Commission has no jurisdiction over liquefied petroleum gas.

25-12.001 Authorization. States authority for adopting rules. This information is unnecessary as the text of each individual rule must be followed by a citation to its statutory authority.

25-12.002 Application. Clarifies the Commission's safety jurisdiction. Applicability and jurisdiction is covered in section 368.05, F.S.

25-12.003 Scope. Defines the facilities and type of work covered by the gas safety rules. Applicability of rules and Commission jurisdiction is covered in section 368.05, F.S.

25-12.006 Commission Interpretation of Rules. Provides that an interested party may petition the Commission to adjudicate a dispute involving the interpretation of the rules. Section 120.565, F.S., and Rule 25-22.021, F.A.C., (or the uniform rule which will take its place) provides the same relief.

25-12.010 Employee Education. Requires safety training programs for employees of gas utilities. Covered in the Code of Federal Regulations, Part 192, Subpart L. The program is already well-established with the gas operators.

25-12.023 Limitations on Underground Threaded Joints. Does not allow the "jacking" of threaded pipe joints. Threaded pipe is not being installed for gas distribution piping.

25-12.025 Limitations on Materials Used. Provides for the qualification for use of materials not conforming to existing adopted standards. This rule has never been used. The economic liability of using non-standard materials prevents operators from using these materials.

25-12.026 Service Regulator Requirements. Requires additional pressure relief devices with service regulators. This

requirement is covered in the Code of Federal Regulations, Part 192, Subpart 192.199.

25-12.039 Operating and Maintenance Plans. Requires each operator to have comprehensive written operating and maintenance plans and to file copies with the Commission Staff. Covered in the Code of Federal Regulations, Part 192, Subpart 192.605. Each Commission gas safety engineer is given a copy by each utility for safety evaluation purposes. File copies are not needed in Tallahassee.

25-12.048 Inspection of Vaults. Requires the inspection of vaults housing gas pressure limiting equipment. This requirement is covered in the Code of Federal Regulations Part 192, Subpart 192.613.

25-12.051 Corrosion Requirements for Steel Tubing. Requires cathodic protection of steel tubing prior to placing it into gas service. Very little steel tubing is now used by gas operators. Code of Federal Regulations, Part 192, Subpart 192.455, requires protection within one year.

25-12.064 Materials. Requires specific records to be kept. This is covered in part by the Code of Federal Regulations and completely by Commission Rule 25-12.060, F.A.C.. Gas operators are now keeping such records.

25-12.065 Construction Records. Requires specific records to be kept. Covered in part by the Code of Federal Regulations and completely by Commission Rule 25-12.060, F.A.C. Gas operators are now keeping such records.

25-12.066 Testing Records. Requires specific records to be kept. Covered in part by the Code of Federal Regulations and completely by Commission Rule 25-12.060, F.A.C. Gas operators

are now keeping such records.

25-12.067 Operation and Maintenance Records. Requires specific records to be kept. Covered in part by the Code of Federal Regulations and completely by Commission Rule 25-12.060, F.A.C. Gas operators are now keeping such records.