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STATE OF FLORIDA
TALLAHASSEE, FLORIDA

NOTICE OF PROPOSED RULEMAKING
FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 010104-GS

RULE TITLE: CODES AND STANDARDS ADOPTED
RULE NO.: 25-12.005

PURPOSE AND EFFECT: The purpose of this rule is to update the Commission's reference to federal gas pipeline safety regulations previously adopted to reflect the most current changes as amended by the United States Department of Transportation.

SUMMARY: This change will adopt the existing federal gas pipeline safety regulations as amended by the United States Department of Transportation, in Parts 191, 192 and 199 of Title 49, Code of Federal Regulations, through January 1, 2001.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:
Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 368.05(2), 350.127(2), FS

LAW IMPLEMENTED: 368.05, FS

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

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WILL BE SCHEDULED AND ANNOUNCED AT A LATER DATE.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

Director of Appeals, Florida Public Service Commission, 2540
Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-
6245.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-12.005 Codes and Standards Adopted.

The Minimum Federal Safety Standards and reporting requirements for pipeline facilities and transportation of gas prescribed by the United States Department of Transportation in Parts 191 and 192 of Title 49, Code of Federal Regulations (CFR) as amended through January 1, 2001 ~~October 20, 1998~~, are adopted as part of these rules. Part 199, "Drug and Alcohol Testing" as amended through January 1, 2001, ~~October 20, 1998~~ is adopted to control drug use, by setting standards and requirements to apply to the testing and use of all emergency response personnel under the direct authority or control of a gas utility or pipeline operator, as well as all employees directly or indirectly employed by gas pipeline operators for the purpose of operation and maintenance and all employees directly or indirectly employed by intrastate gas distribution utilities for on-site construction of natural gas transporting pipeline facilities. Part 199 also is adopted to prescribe standards for use of employees who do not meet the requirements of the regulations.

Specific Authority: 368.05(2), 350.127(2), F.S.

Law Implemented: 368.03, F.S.

History--New 11/14/70, Amended 09/24/71, Revised 09/21/74,
Amended 10/07/75, 11/30/82, 10/02/84, 08/08/89, formerly
25-12.05, amended 01/07/92, 05/13/99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: C. Edward Mills

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: February 20, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume
26, Number 51, December 22, 2000