

State of Florida



Public Service Commission
CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

RECEIVED-FPSC
2 FEB -6 PM 1:32
COMMISSION CLERK

DATE: FEBRUARY 5, 2002

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES (BAYÓ)

FROM: OFFICE OF THE GENERAL COUNSEL (BELLAK) *RCB DES*
DIVISION OF AUDITING AND SAFETY (RUEHL) *Jed*
DIVISION OF ECONOMIC REGULATION (HEWITT) *CBH* *at* *JDJ* *BJD*

RE: DOCKET NO. 020095-EU - PROPOSED AMENDMENT TO RULE 25-6.0345, F.A.C., SAFETY STANDARDS FOR CONSTRUCTION OF NEW TRANSMISSION AND DISTRIBUTION.

AGENDA: FEBRUARY 19, 2002 - REGULAR AGENDA - INTERESTED PERSONS MAY PARTICIPATE

RULE STATUS: PROPOSAL MAY BE DEFERRED

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\GCL\WP\020095.RCM

CASE BACKGROUND

On November 2, 2001, staff requested that Rule 25-6.0345, F.A.C., entitled "Safety Standards for construction of New Transmission and Distribution Facilities", be amended. The effect of the suggested amendments would be to update the rule to include the latest version of the National Electric Safety Code (NESC), 2002 edition.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission propose the attached amendments of Rule 6.0345, F.A.C.?

RECOMMENDATION: Yes, the Commission should propose the attached rule amendments.

DOCUMENT NUMBER-DATE

01438 FEB-6 02

FPSC-COMMISSION CLERK

DOCKET NO. 020095-EU
DATE: February 5, 2002

STAFF ANALYSIS: Section 366.04(6)(b), Florida Statutes requires the Commission to review and adopt the new 2002 edition of the National Electrical Safety Code (NESC).

STATUTORY AUTHORITY: Sections 366.04(6)(b) and 350.127(2), Florida Statutes.

STATEMENT OF ESTIMATED REGULATORY COST:

The Division of Economic Regulation decided that no Statement of Estimated Regulatory Costs (SERC) was required for this amendment because Section 366.04(6)(b), Florida Statutes, already requires review and adoption of the latest version of NESC and entities constructing electrical transmission and distribution systems already have to train their employees to comply with it.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if no requests for hearing or comments are filed, the rule amendment as proposed should be filed for adoption with the Secretary of State and the docket be closed.

STAFF ANALYSIS: Unless comments or requests for hearing are filed, the rule amendment as proposed may be filed with the Secretary of State without further Commission action. The docket may then be closed.

RCB

25-6.0345 Safety Standards for Construction of New Transmission and Distribution Facilities.

(1) In compliance with Chapter 366.04(6)(b) F.S., 1991, the Commission adopts and incorporates by reference the ~~1997~~ 2002 edition of the National Electrical Safety Code (ANSI C-2), published ~~August 1, 1996~~ August 1, 2001, as the applicable safety standards for transmission and distribution facilities subject to the Commission's safety jurisdiction. Each public electric utility, rural electric cooperative, and municipal electric system shall comply with the standards in these provisions. Standards contained in the ~~1997~~ 2002 edition shall be applicable to new construction for which a work order number is assigned on or after the effective date of this rule.

(2) Each public electric utility, rural electric cooperative and municipal electric utility shall report all completed electric work orders, whether completed by the utility or one of its contractors, at the end of each quarter of the year. The report shall be filed with the Director of the Commission's Division of Electric and Gas no later than the 30th working day after the last day of the reporting quarter, and shall contain, at a minimum, the following information for each work order:

- (a) work order number/project/job;
- (b) brief title; and
- (c) estimated cost in dollars, rounded to nearest thousand.

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

- (a) DBase Format

	Field Name	Field Type	Digits
1.	Work orders	Character	20
2.	Brief title	Character	30
3.	Cost	Numeric	8
4.	Location	Character	50
5.	Kv	Numeric	5
6.	Contiguous	Character	1

- (b) DOS ASCII Text.

- 1. Columns shall be the same type and in the same order as listed under Field Names above.
- 2. A comma (,) shall be placed between data fields.
- 3. Character data fields shall be placed between quotation marks ("...").
- 4. Numeric data fields shall be right justified.
- 5. Blank spaces shall be used to fill the data fields to the indicated number of digits.

- (c) Hard Copy.

The following format is preferred, but not required:

Completed Electrical Work Orders
 For PSC Inspection

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

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

jurisdiction, and shall certify to the Commission that they meet or exceed the applicable standards. Compliance inspections by the Commission shall be made on a random basis or as appropriate.

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

(a) Involves death or injury requiring hospitalization of nonutility persons; or

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

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

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

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

(7) Unless requested by the Commission, reports are not required with respect to personal injury, death, or property damage resulting from vehicles striking poles or other utility property.

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

Law Implemented: 366.04(2)(f), (6), F.S.

History: New 8/13/87, Amended 2/15/90, 11/10/93, 08/18/97.

MEMORANDUM

January 22, 2002

TO: DIVISION OF APPEALS (BELLAK)

FROM: DIVISION OF ECONOMIC REGULATION (HEWITT) *CBH* *ES* *793*

SUBJECT: STATEMENT OF ESTIMATED REGULATORY COSTS FOR PROPOSED AMENDMENT TO RULE 25-6.0345, F.A.C., SAFETY STANDARDS FOR CONSTRUCTION OF NEW TRANSMISSION AND DISTRIBUTION FACILITIES

RULE 25-6.0345, F.A.C., Safety Standards for Construction of New Transmission and Distribution Facilities, contains the safety standards and minimum construction requirements for new transmission and distribution systems, and requirements for reporting completed work, electrical accidents, and damages to public property.

The proposed amendments would update the rule to include the latest version of the National Electrical Safety Code (NESC), 2002 edition.

The Florida Administrative Procedures Act encourages an agency to prepare a Statement of Estimated Regulatory Costs (SERC). However, Chapter 366.04(6)(b) F. S. requires the Commission to review and adopt the new addition of the NESC. There should be no additional costs other than the cost for staff to learn any changes in the most recent NESC and the usual costs to promulgate a rule amendment. There should be no significant negative impacts on utilities, small businesses, small cities, or small counties, because those entities constructing electrical transmission and distribution systems already have to train their employees to comply with the updated NESC. Therefore, a SERC will not be prepared for the proposed rule amendment.

cc: Mary Andrews Bane
Hurd Reeves
Jim Ruehl

elconstm.cbh