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CERTIFICATION OF  
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES  
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I do hereby certify:

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

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

/X/ (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

/X/ (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 nor

more than 45 days from the date of publication of the notice of change; or

// (d) Are filed more than 90 days after the notice, but not less than 14 nor more

than 45 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

- DMP \_\_\_\_\_
- COM \_\_\_\_\_
- CTR \_\_\_\_\_
- ECR \_\_\_\_\_
- GCL \_\_\_\_\_
- OPC \_\_\_\_\_
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// (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; or

// (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

// (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.


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.

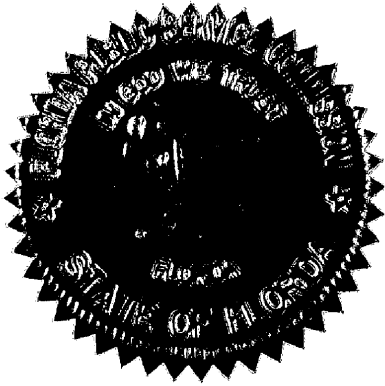
Rule Nos.

25-4.036

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)

  
\_\_\_\_\_  
BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services



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1 **25-4.036 Design and Construction of Plant.**

2 (1) The plant and facilities of the utility shall be designed, constructed, installed,  
3 maintained and operated in accordance with provisions ~~of the 2002 Edition~~ of the National  
4 Electrical Safety Code (IEEE C2-2002) and the National Electrical Code (NFPA 70-200570-  
5 2002), which is incorporated herein by reference, pertaining to the construction of  
6 telecommunications facilities.

7 (2) Compliance with these codes and accepted good practice is necessary to insure  
8 as far as reasonably possible continuity of service, uniformity in the quality of service  
9 furnished and the safety of persons and property.

10 Specific Authority 350.127(2) FS.

11 Law Implemented 364.01(4), 364.03 FS.

12 History—Revised 12-1-68, Amended 4-19-77, Formerly 25-4.36, Amended 2-5-86, 3-26-91, 5-  
13 3-94, 12-23-02.

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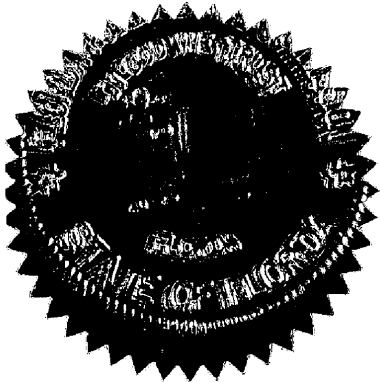
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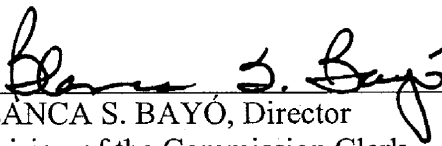
CERTIFICATION OF  
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Pursuant to Rule 1S-1.005, Florida Administrative Code, I do hereby certify that the attached are true and correct copies of the following materials incorporated by reference in Rule 25-4.036. Under the provisions of subparagraph 120.54(3)(e)(6), F.S., the attached materials take effect 20 days from the date filed with the Department of State, or a later date as specified in the rule.

The National Electrical Code (NFPA 70-2005)



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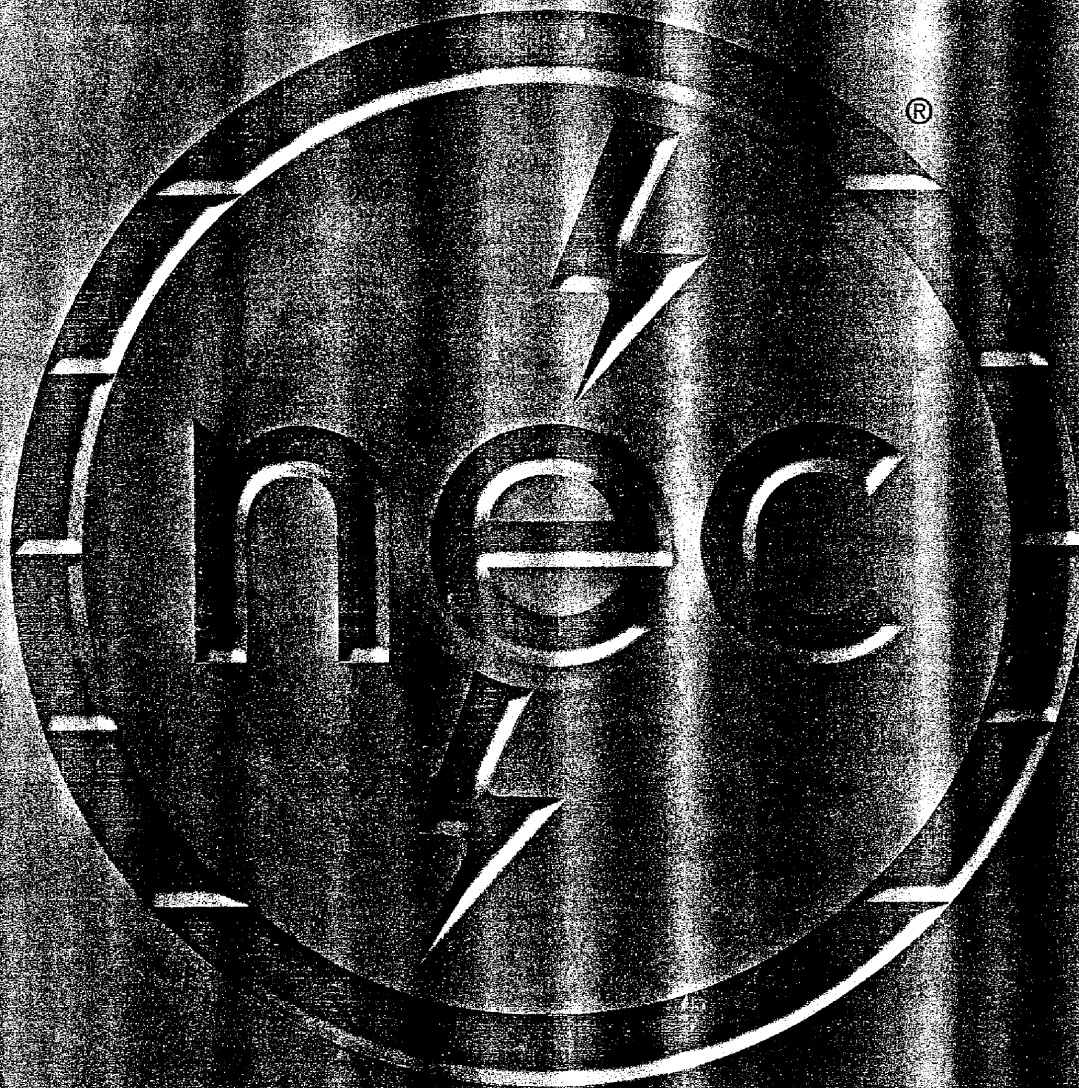
  
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# NEC 2005

NFPA 70: National Electrical Code®  
International Electrical Code® Series



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## NFPA 70

# *National Electrical Code*<sup>®</sup>

### 2005 Edition

This edition of NFPA 70, *National Electrical Code*, was prepared by the National Electrical Code Committee and acted on by NFPA at its May Association Technical Meeting held May 23–26, 2004, in Salt Lake City, UT. It was issued by the Standards Council on July 16, 2004, with an effective date of August 5, 2004, and supersedes all previous editions.

A tentative interim amendment (TIA) to Section 604.6(A)(1) was issued on July 15, 2004. For further information on tentative interim amendments see Section 5 of the NFPA Regulations Governing Committee Projects available at:

<http://www.nfpa.org/Codes/NFPADirectory.asp#Regs&Procedures>

This edition of NFPA 70 was approved as an American National Standard on August 5, 2004.

### History and Development of the *National Electrical Code*<sup>®</sup>

The National Fire Protection Association has acted as sponsor of the *National Electrical Code* since 1911. The original *Code* document was developed in 1897 as a result of the united efforts of various insurance, electrical, architectural, and allied interests.

In accordance with the provisions of the NFPA Regulations Governing Committee Projects, a National Electrical Code Committee Report on Proposals containing proposed amendments to the 2002 *National Electrical Code* was published by NFPA in July 2003. This report recorded the actions of the various Code-Making Panels and the Correlating Committee of the National Electrical Code Committee on each proposal that had been made to revise the 2002 *Code*. The report was circulated to all members of the National Electrical Code Committee and was made available to other interested NFPA members and to the public for review and comment. Following the close of the public comment period, the Code-Making Panels met, acted on each comment, and reported their action to the Correlating Committee. NFPA published the National Electrical Code Committee Report on Comments in April 2004, which recorded the actions of the Code-Making Panels and the Correlating Committee on each public comment to the National Electrical Code Committee Report on Proposals. The National Electrical Code Committee Report on Proposals and the National Electrical Code Committee Report on Comments were presented to the 2004 May Association Technical Meeting for adoption.

NFPA has an Electrical Section that provides particular opportunity for NFPA members interested in electrical safety to become better informed and to contribute to the development of the *National Electrical Code* and other NFPA electrical standards. Each of the Code-Making Panels and the Chairman of the Correlating Committee reported their recommendations to meetings of the Electrical Section at the 2004 NFPA World Safety Conference and Exposition. The Electrical Section thus had opportunity to discuss and review the report of the National Electrical Code Committee prior to the adoption of this edition of the *Code* by the Association at its 2004 May Technical Session.

This 2005 edition supersedes all other previous editions, supplements, and printings dated 1897, 1899, 1901, 1903, 1904, 1905, 1907, 1909, 1911, 1913, 1915, 1918, 1920, 1923, 1925, 1926, 1928, 1930, 1931, 1933, 1935, 1937, 1940, 1942, 1943, 1947, 1949, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1962, 1965, 1968, 1971, 1975, 1978, 1981, 1984, 1987, 1990, 1993, 1996, 1999, and 2002. The 2005 edition marks the 50th edition of the *National Electrical Code*.

Changes other than editorial are indicated by a vertical rule beside the paragraph, table, or figure in which the change occurred. These rules are included as an aid to the user in identifying changes from the previous edition. Where one or more complete paragraphs have been deleted, the deletion is indicated by a bullet (•) between the paragraphs that remain.

This *Code* is purely advisory as far as NFPA is concerned. It is made available for a wide variety of both public and private uses in the interest of life and property protection. These include both use in law and for regulatory purposes, and use in private self-regulation and standardization activities as insurance underwriting, building and facilities construction and management, and product testing and certification.

SUMMARY OF RULE

Rule 25-4.036 requires that the plant and facilities of regulated companies be designed, constructed, installed, maintained, and operated in accordance with the provisions of the National Electrical Code. The amendments would update the rule to reflect the 2005 edition of the Code.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The National Electrical Code provides standards that must be followed by entities that design, install, operate and maintain electrical instrumentation, including the associated wiring that serves to provide power and/or signaling distribution. Moreover, the National Electrical Code provides uniform standards to minimize harm to persons or damage to properties. Rule 25-4.036 currently reflects the 2002 version of the National Electrical Code. The rule is being amended to reflect the most current version of the National Electrical Code, which is the 2005 edition.

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// (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

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// (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

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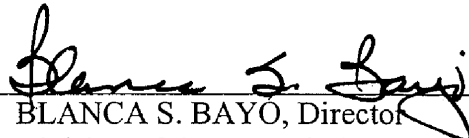
Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

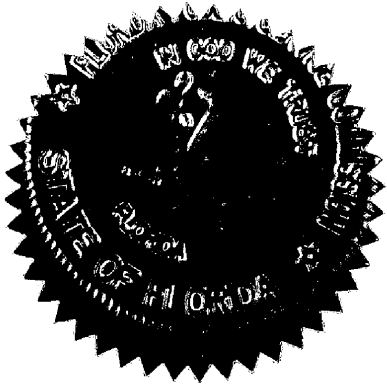
Rule No.

25-24.515

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)

  
\_\_\_\_\_  
BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services



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1 **25-24.515 Pay Telephone Service.**

2 (1) For the purposes of this section, the term "direct free" shall mean without  
3 requiring the use of a coin, paper money, credit card, or any other form of payment, even if the  
4 payment will be returned.

5 (2) Pay telephone stations shall be lighted during the hours of darkness when light  
6 from other sources is not adequate to read instructions and use the instrument.

7 (3) Each pay telephone station shall return any deposited amount if the call is not  
8 completed, except messages to a Feature Group A access number.

9 (4) Each pay telephone station shall permit direct free access to the universal  
10 telephone number "911" where operable.

11 (5) Each pay telephone station shall permit direct free access to dialtone.

12 (6) Each pay telephone station shall permit direct free access to toll free numbers  
13 (e.g., 800, 877, and 888).

14 (7) Each pay telephone station shall complete calls to local and long distance  
15 directory assistance.

16 (8) Each pay telephone station shall complete calls to the responsible party for  
17 repairs or refunds by direct free access.

18 (9) Each pay telephone station shall be equipped with a legible sign, card, or plate  
19 of reasonable permanence which shall identify the following:

20 (a) The telephone number and location address of the pay telephone station, name  
21 and certificate number of the certificate holder, the party responsible for repairs and refunds,  
22 address of responsible party, free phone number of responsible party, clear dialing instructions  
23 (including notice of the lack of availability of local or toll services), and the local coin rate.

24 (b) For those pay telephone stations that will terminate conversation after a  
25 minimum elapsed time, notice shall be included on the sign card as well as an audible

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1 announcement 30 seconds prior to termination of the phone call.

2 (10) Each pay telephone station that provides access to any interexchange company  
3 shall provide coin free access, except for Feature Group A access, to all locally available  
4 interexchange companies. The pay telephone station shall provide such access through the  
5 forms of access purchased by locally available long distance carriers such as 10XXX+0,  
6 10XXXX+0, 101XXXX+0, 950, toll free (e.g., 800, 877, and 888) access.

7 (11) No sales solicitation shall be allowed during the interval between the last digit  
8 dialed by the end user and connection with the interexchange carrier.

9 (12) All 0- calls shall be routed to a telecommunications company that is authorized  
10 by the Commission to handle 0- calls. All other calls, including operator service calls, may be  
11 routed to the pay telephone provider's carrier of choice, unless the end user dials the  
12 appropriate access code for their carrier of choice, i.e., 950, 10XXX, 10XXXX, 101XXXX,  
13 and toll free access (e.g., 800, 877, and 888).

14 (13)(a) Each pay telephone station shall allow incoming calls to be received at all  
15 times, with the exception of those located at hospitals, schools, and locations specifically  
16 exempted by the Commission. There shall be no charge for receiving incoming calls.

17 (b) A pay telephone provider may petition the Commission for an exemption from  
18 the incoming call requirement for a period that shall not exceed two years from the effective  
19 date of the Order granting the exemption. Requests for exemption from the requirement that  
20 each pay telephone station allow incoming calls shall be accompanied by a completed Form  
21 PSC/CMP-2 (02/99), entitled "Request to Block Incoming Calls," which is incorporated into  
22 this rule by reference and may be obtained from the Commission's Division of Competitive  
23 Markets and Enforcement. The form requires an attestation from the owner of the pay  
24 telephone, the owner of the pay telephone location, and the chief of the responsible law  
25 enforcement agency that the request is sought in order to deter criminal activity facilitated by

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1 incoming calls being received at the specified pay telephone. A separate form shall be filed for  
2 each telephone number for which an exemption is sought. The provider of the pay telephone  
3 may request subsequent two-year exemptions by filing another Form PSC/CMP-2 (02/99).  
4 Where incoming calls are not received, central-office based intercept shall be provided at no  
5 charge to the end user and a written notice shall be prominently displayed on the instrument  
6 directly above or below the telephone number which states: "Incoming calls blocked at request  
7 of law enforcement."

8 (14) Each pay telephone station must be connected to an individual access line.

9 (15)(a) Each pay telephone service company shall permit outgoing calls to be placed  
10 from its pay telephone stations at all times.

11 (b) Each pay telephone service company shall make all reasonable efforts to  
12 minimize the extent and duration of interruptions of service. Service repair programs should  
13 have as their objective the restoration of service on the same day that the interruption is  
14 reported to the company. (Sundays and holidays excepted.)

15 (16)(a) Where there is a single pay telephone station, a directory shall be maintained at  
16 each station. Where there are two or more pay telephone stations located in a group, a  
17 directory for the entire local calling area shall be maintained at every other station. However,  
18 where telephone pay stations are fully enclosed, a directory shall be maintained at each pay  
19 telephone station. For purposes of this rule, the term "directory" shall mean both a current  
20 white page directory for the local calling area and a reasonably current yellow page directory  
21 that is appropriate for the calling area of the pay telephone station.

22 (b) Pay telephone stations that provide local directory assistance at no charge are  
23 exempt from the provisions in paragraph (16)(a). A notice must appear on the placard if local  
24 directory assistance at no charge is being provided.

25 (17) Normal maintenance and coin collection activity shall include a review of the

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1 cleanliness of each pay telephone station.

2 (18)(a) Except as provided in paragraphs (18)(b) below, each pay telephone station  
3 shall conform to sections 4.1.3(17), 4.2.4, 4.2.5, 4.2.6, 4.5.1., 4.31.2, 4.31.3, and 4.31.5 of the  
4 ADA Accessibility Guidelines for Buildings and Facilities, Appendix A to 28 CFR Part 36,  
5 (July 1, 2003 Edition), which sections are incorporated by reference into this rule. This rule  
6 does not apply to public text telephone and closed circuit telephones.

7 (b) Pay telephones shall not be installed where the required "clear floor or ground  
8 space" provided for in ADA Accessibility Guidelines for Buildings and Facilities sections  
9 4.2.4.1, 4.2.4.2, and 4.31.2 would be reduced by a vehicle parked in a designated parking  
10 space.

11 (19) Each pay telephone station shall permit end users to input unlimited digits for  
12 the duration of the call.

13 (20) Toll Fraud Liability.

14 (a) A company providing interexchange telecommunications services or local  
15 exchange telecommunications services shall not collect from a pay telephone provider for  
16 charges billed to a line for calls that originated from that line through the use of access codes  
17 such as 10XXX, 10XXXX, 101XXXX, 950, and toll free (e.g., 800, 877, 888) access codes, or  
18 when the call originating from that line otherwise reached an operator position, if the  
19 originating line is subscribed to outgoing call screening and the call was placed after the  
20 effective date of the outgoing call screening order.

21 (b) A company providing interexchange telecommunications services or local  
22 exchange telecommunications services shall not collect from a pay telephone provider for  
23 charges for collect or third number billed calls, if the line to which the call was billed was  
24 subscribed to incoming call screening and the call was placed after the effective date of the  
25 incoming call screening order.

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1 (c) Any calls billed through the provider of local exchange telecommunications  
2 services or directly by an interexchange company, or through a billing agent, which have been  
3 identified as not collectible as described in paragraphs (20)(a) and (b) above, must be removed  
4 from any pay telephone provider's bill after the pay telephone provider gives notice of the  
5 fraudulent charges to the billing party. Pay telephone providers shall give such notice to the  
6 provider of local exchange telecommunications services and the interexchange company in  
7 writing no later than the due date of the bill.

8 (d) The provider of local exchange telecommunications services is responsible for  
9 charges described in paragraph (20)(c) that are associated with the failure of the provider of  
10 local exchange telecommunications services' screening services.

11 (e) The interexchange company is responsible for charges described in paragraph  
12 (20)(c) that are associated with the failure to properly validate calls via the appropriate  
13 provider of local exchange telecommunications services' data base.

14 (f) Definitions: For purposes of subsection (20) the term "Effective Date" shall  
15 mean the date after the call screening order was placed and associated charges apply.

16 (g) Any charges accrued to a line when the subscriber has subscribed to the  
17 provider of local exchange telecommunications services to screen calls described in  
18 paragraphs (20)(a) and (b) above shall not be the basis for discontinuance of local and  
19 intrastate service.

20 (21) Providers serving confinement facilities shall provide for completion of all  
21 inmate calls allowed by the confinement facility.

22 (22) Pay telephone stations located in confinement facilities shall be exempt from  
23 the requirements of subsections (2), (4), (6), (7), (8), (10), (12), (13), (15), (16), and (19) of  
24 this rule. Such pay telephone stations shall also be exempt from the requirements of subsection  
25 (9), except that outgoing local and long distance calls may not be terminated until after a

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1 minimum elapsed time of ten minutes. Audible and written disconnect notifications shall  
2 apply, and one access line shall not be connected to more than three pay telephone stations.

3 (23) Pay telephone facilities shall be designed, constructed, installed, maintained  
4 and operated in accordance with provisions of the National Electrical Safety Code (IEEE C2-  
5 2002) and the National Electrical Code (~~NFPA 70-2005~~NEPA 70-2002), which are  
6 incorporated herein by reference.

7 Specific Authority 350.127(2) FS.

8 Law Implemented 364.03, 364.035, 364.063, 364.337, 364.3375, 364.345 FS.

9 History—New 1-5-87, Amended 4-14-92, 12-21-92, 2-3-93, 10-10-94, 12-27-94, 9-5-95, 2-1-  
10 99, 12-23-02, 4-5-05.

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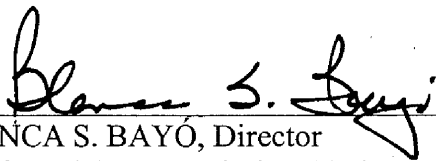
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The National Electrical Code (NFPA 70-2005)



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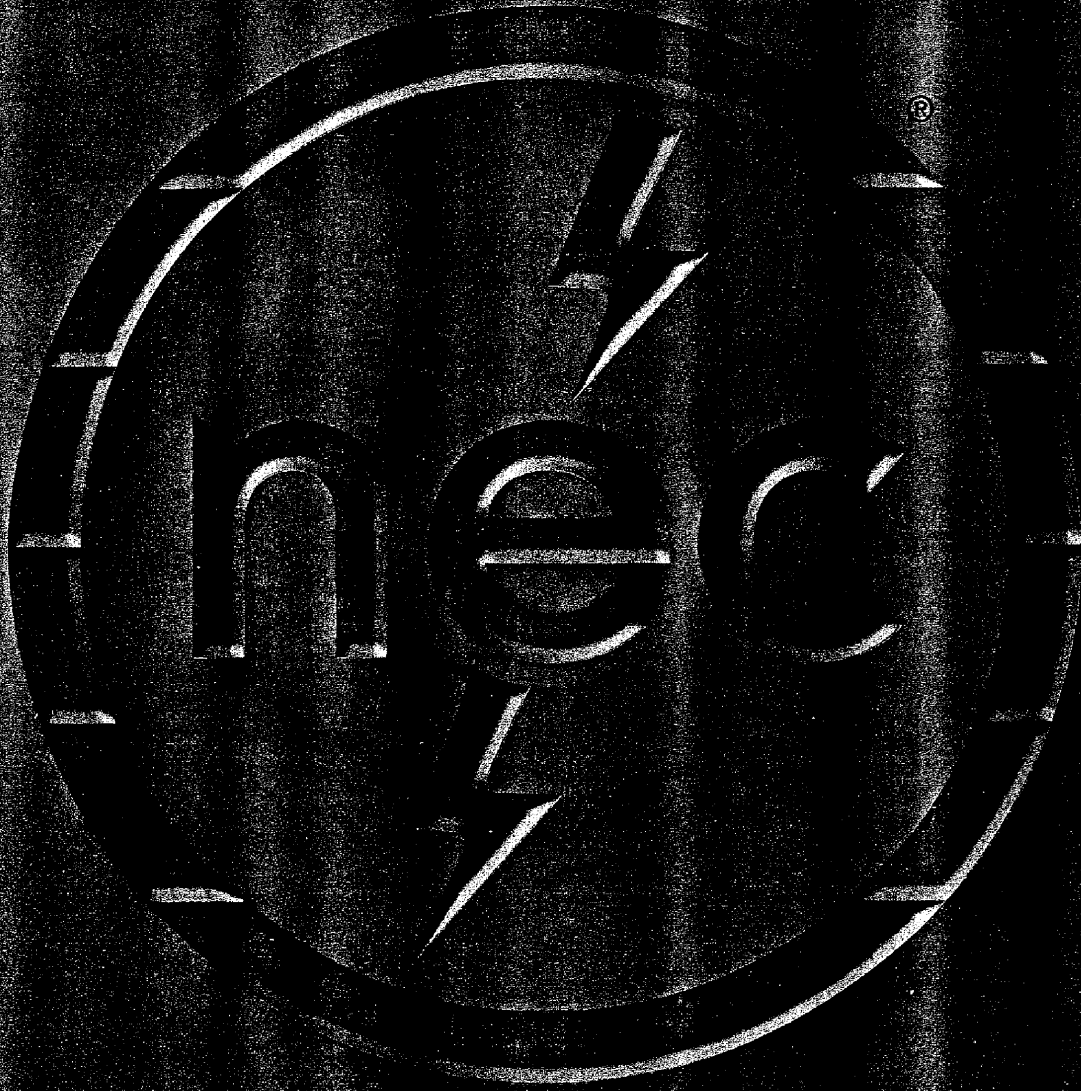
  
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## NFPA 70

### *National Electrical Code*<sup>®</sup>

#### 2005 Edition

This edition of NFPA 70, *National Electrical Code*, was prepared by the National Electrical Code Committee and acted on by NFPA at its May Association Technical Meeting held May 23–26, 2004, in Salt Lake City, UT. It was issued by the Standards Council on July 16, 2004, with an effective date of August 5, 2004, and supersedes all previous editions.

A tentative interim amendment (TIA) to Section 604.6(A)(1) was issued on July 15, 2004. For further information on tentative interim amendments see Section 5 of the NFPA Regulations Governing Committee Projects available at:

<http://www.nfpa.org/Codes/NFPADirectory.asp#Regs&Procedures>

This edition of NFPA 70 was approved as an American National Standard on August 5, 2004.

#### **History and Development of the *National Electrical Code*<sup>®</sup>**

The National Fire Protection Association has acted as sponsor of the *National Electrical Code* since 1911. The original *Code* document was developed in 1897 as a result of the united efforts of various insurance, electrical, architectural, and allied interests.

In accordance with the provisions of the NFPA Regulations Governing Committee Projects, a National Electrical Code Committee Report on Proposals containing proposed amendments to the 2002 *National Electrical Code* was published by NFPA in July 2003. This report recorded the actions of the various Code-Making Panels and the Correlating Committee of the National Electrical Code Committee on each proposal that had been made to revise the 2002 *Code*. The report was circulated to all members of the National Electrical Code Committee and was made available to other interested NFPA members and to the public for review and comment. Following the close of the public comment period, the Code-Making Panels met, acted on each comment, and reported their action to the Correlating Committee. NFPA published the National Electrical Code Committee Report on Comments in April 2004, which recorded the actions of the Code-Making Panels and the Correlating Committee on each public comment to the National Electrical Code Committee Report on Proposals. The National Electrical Code Committee Report on Proposals and the National Electrical Code Committee Report on Comments were presented to the 2004 May Association Technical Meeting for adoption.

NFPA has an Electrical Section that provides particular opportunity for NFPA members interested in electrical safety to become better informed and to contribute to the development of the *National Electrical Code* and other NFPA electrical standards. Each of the Code-Making Panels and the Chairman of the Correlating Committee reported their recommendations to meetings of the Electrical Section at the 2004 NFPA World Safety Conference and Exposition. The Electrical Section thus had opportunity to discuss and review the report of the National Electrical Code Committee prior to the adoption of this edition of the *Code* by the Association at its 2004 May Technical Session.

This 2005 edition supersedes all other previous editions, supplements, and printings dated 1897, 1899, 1901, 1903, 1904, 1905, 1907, 1909, 1911, 1913, 1915, 1918, 1920, 1923, 1925, 1926, 1928, 1930, 1931, 1933, 1935, 1937, 1940, 1942, 1943, 1947, 1949, 1951, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1962, 1965, 1968, 1971, 1975, 1978, 1981, 1984, 1987, 1990, 1993, 1996, 1999, and 2002. The 2005 edition marks the 50th edition of the *National Electrical Code*.

Changes other than editorial are indicated by a vertical rule beside the paragraph, table, or figure in which the change occurred. These rules are included as an aid to the user in identifying changes from the previous edition. Where one or more complete paragraphs have been deleted, the deletion is indicated by a bullet (•) between the paragraphs that remain.

This *Code* is purely advisory as far as NFPA is concerned. It is made available for a wide variety of both public and private uses in the interest of life and property protection. These include both use in law and for regulatory purposes, and use in private self-regulation and standardization activities as insurance underwriting, building and facilities construction and management, and product testing and certification.

### SUMMARY OF RULE

Rule 25-24.515 requires that the plant and facilities of regulated companies be designed, constructed, installed, maintained, and operated in accordance with the provisions of the National Electrical Code. The amendments would update the rule to reflect the 2005 edition of the Code.

### SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and none was held.

### FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The National Electrical Code provides standards that must be followed by entities that design, install, operate and maintain electrical instrumentation, including the associated wiring that serves to provide power and/or signaling distribution. Moreover, the National Electrical Code provides uniform standards to minimize harm to persons or damage to properties. Rule 25-24.515 currently reflects the 2002 version of the National Electrical Code. The rule is being amended to reflect the most current version of the National Electrical Code, which is the 2005 edition.

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