

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date:	3/16/2006	Docket No.:	060243 - E1
1. Division Name/Staff Name:	Office Of The General Counsel/Moore		
2. OPR:	Moore (GCL) <i>MM</i>		
3. OCR:	Bremen, McNulty, D. Lee, Matlock, Jopling, Hewitt (ECR)		
4. Suggested Docket Title:	DOCKET NO. 011351-EI - PROPOSED REVISIONS TO RULE 25-6.044, F.A.C., CONTINUITY OF SERVICE, AND RULE 25-6.0455, F.A.C., ANNUAL DISTRIBUTION SERVICE RELIABILITY REPORT		
5. Suggested Docket Mailing List (attach separate sheet if necessary)			
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.			
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)			
1. Parties and their representatives (if any):			
EI			
2. Interested persons and their representatives (if any):			
6. Check one:			
<input checked="" type="checkbox"/> Documentation is attached.			
<input type="checkbox"/> Documentation will be provided with recommendation.			

DOCUMENT NUMBER-DATE

02294 MAR 16 8

BEFORE THE PUBLIC SERVICE COMMISSION

UNDOCKETED

IN RE: RULES 25-6.044 AND 25-6.0455

NOTICE OF PROPOSED RULE DEVELOPMENT

TO: ALL INTERESTED PERSONS

ISSUED: January 18, 2006

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rules 25-6.044 and 25-6.0455, Florida Administrative Code, to amend provisions relating to continuity of electric service and reliability of distribution of electric service.

The attached Notice of Proposed Rule Development will appear in the January 27, 2006, edition of the Florida Administrative Weekly. A rule development workshop will be held at the following time and place:

Florida Public Service Commission
9:30 a.m., February 22, 2006
Betty Easley Conference Center
Room 148, 4075 Esplanade Way
Tallahassee, Florida

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

By DIRECTION of the Florida Public Service Commission this 18th day of January, 2006.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

By: _____

Kay Flynn
Kay Flynn, Chief
Bureau of Records

(SEAL)
MKS

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

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NOTICE OF PROPOSED RULE DEVELOPMENT
FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLE:

RULE NO.:

Continuity of Service

25-6.044

Annual Distribution Service Reliability Report

25-6.0455

PURPOSE AND EFFECT: To eliminate ambiguities in the rules, to revise definitions, and to more clearly define the data needed to assess reliability of distribution of electric power.

SUBJECT AREA TO BE ADDRESSED: Continuity and reliability of electric service

SPECIFIC AUTHORITY: 366.05(1), Florida Statutes

LAW IMPLEMENTED: 366.03, 366.04(5), 366.05, 366.04(2)(c)&(f), Florida Statutes

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE, AND PLACE SHOWN BELOW:

TIME AND DATE: 9:30 A.M., February 22, 2006

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, Florida

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Marlene Stern, Office of General Counsel, Florida Public Service

Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850) 413-6230.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-6.044 Continuity of Service.

(1) Definitions applicable to this part:

(a) "Area of Service." A geographic area where a utility provides retail electric service.

An Area of Service can be the entire system, a district, or ~~a region into which a utility divides its system~~ subregion of the utility's system in which centralized distribution service functions are carried out.

(b) – (p) No Change

(q) "Planned Service Interruption." A Service Interruption initiated by the utility to perform necessary ~~scheduled activities~~ for public safety reasons or for scheduled activities, such as maintenance, infrastructure improvements, and new construction due to customer growth. ~~Customers are typically notified in advance of these events.~~

(2) Each utility shall keep a record of its system reliability and continuity of service data, customers' Service Interruption notifications, and other data necessary for the annual reports filed under these rules. These records and data shall be retained for a minimum of ten years from the filing of each annual report. The utility shall record each Outage Event as planned or unplanned and shall identify the point of origination such as generation facility, transmission line, transmission substation equipment, or distribution equipment. The cause of each Outage event shall be determined and recorded in a standardized manner throughout the utility. The date and time of the Outage Event and the number of Service Interruptions for the Outage Event shall also be recorded.

(3) – (5) No Change

Specific Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c), 366.04(5), 366.05 FS.
History-New 7-29-69, Formerly 25-6.44, Amended 2-25-93, 11-7-02.

25-6.0455 Annual Distribution Service Reliability Report.

(1) Each utility shall file a Distribution Service Reliability Report with the Director of the Commission's Division of Economic Regulation on or before March 1st of each year, for the preceding calendar year. ~~The report shall contain the following information:~~

~~(a) The utility's total number of Outage Events (N), categorized by cause for the highest 10 causes of Outage Events, the Average Duration of Outage Events (L- Bar), and Average Service Restoration Time (CAIDI). The utility shall record these data and analyses on Form PSC/ECR 102-1, entitled "Outage Events" which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850) 413-6900;~~

~~(b) Identification of the three percent of the utility's Primary Circuits (feeders) with the highest number of feeder breaker interruptions. For each primary circuit so identified the utility shall report the primary circuit identification number or name, substation origin, general location, number of affected customers by service class served, Number of Outage Events (N), Average Duration of Outage Events (L- Bar), Average Service Restoration Time (CAIDI), whether the same circuit is being reported for the second consecutive year, the number of years the primary circuit was reported on the "Three Percent Feeder List" in the past five years, and the corrective action date of completion. The utility shall record these data and analyses on Form PSC/ECR 102-2, entitled "Three Percent Feeder List" which may be obtained from the Division of~~

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~~Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850) 413-6900;~~

~~(c) The reliability indices SAIDI, CAIDI, SAIFI, MAIFIe, and CEMIS for its system and for each district or region into which its system may be divided. The utility shall report these data and analyses on Form PSC/ECR-102-3, entitled "System Reliability Indices" which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850) 413-6900. Any utility furnishing electric service to fewer than 50,000 retail customers shall not be required to report the reliability indices MAIFIe or CEMIS;~~

~~(d) The calculations for each of the required indices and measures of distribution reliability;~~

~~(2) A utility may exclude from the Annual Distribution Service Reliability Report the Outage Events directly caused by one or more of the following: planned interruptions, a storm named by the National Hurricane Center, a tornado recorded by the National Weather Service, ice on lines, a planned load management event, an electric generation disturbance, an electric transmission system disturbance, or an extreme weather or fire event causing activation of the county emergency operation center. The Distribution Service Reliability Report will exclude the impact of all service interruptions associated with generation and transmission disturbances governed by Section 25-6.018(2) and (3), Florida Administrative Code.~~

~~(3) A utility may submit a request to exclude an Outage Event from the Annual Distribution Service Reliability Report that is not specifically provided for in subsection 25-6.0455(2), F.A.C. Such a request must be filed with the Commission's Division of the Commission Clerk and Administrative Services within 30 days of the Outage Event for which an exclusion is being requested. The Commission will approve the request if the utility is able to~~

~~demonstrate that the outage was not within the utility's control, and that the utility could not reasonably have prevented the outage.~~ The report shall contain the following information on an actual and adjusted basis:

(a) The utility's total number of Outage Events(N), categorized by cause for the highest 10 causes of Outage Events, the Average Duration of Outage Events (L-Bar), and Average Service Restoration Time (CAIDI). The utility shall record these data and analyses on Form PSC/ECR 102-1(a) (/06) and Form PSC/ECR 102-1(b) (/06), entitled "Causes of Outage Events - Actual" and "Causes of Outage Events- Adjusted", respectively, which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 850/413-6900, and which are incorporated herein by reference;

(b) Identification of the three percent of the utility's Primary Circuits (feeders) with the highest number of feeder breaker interruptions. For each primary circuit so identified the utility shall report the primary circuit identification number or name, substation origin, general location, number of affected customers by service class served, Number of Outage Events (N), Average Duration of Outage Events (L-Bar), Average Service Restoration Time (CAIDI), whether the same circuit is being reported for the second consecutive year, the number of years the primary circuit was reported on the "Three Percent Feeder List" in the past five years, and the corrective action date of completion. The utility shall record these data and analyses on Form PSC/ECR 102-2(a) (/06) and Form PSC/ECR 102-2(b) (/06), entitled "Three Percent Feeder List - Actual" and "Three Percent Feeder List – Adjusted", respectively, which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 850/413-6900, and which are incorporated herein by reference;

(c) The reliability indices SAIDI, CAIDI, SAIFI, MAIFIe, and CEM15 for its system and

for each district or region into which its system may be divided. The utility shall report these data and analyses on Form PSC/ECR 102-3(a) (/06) and Form PSC/ECR 102-3(b) (/06), entitled “System Reliability Indices - Actual” and “System Reliability Indices – Adjusted”, respectively, which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, 850/413-6900, and which are incorporated herein by reference. Any utility furnishing electric service to fewer than 50,000 retail customers shall not be required to report the reliability indices MAIFIE or CEMIS; and

(d) The calculations for each of the required indices and measures of distribution reliability.

(4) Adjusted distribution reliability data may reflect Outage Events caused by;

(a) Planned Service Interruptions;

(b) Events resulting in catastrophic damage to utility facilities shown to be beyond the ability of the utility to control and which directly cause more than 10 percent of the utility’s retail customers in the utility’s Area of Service to experience Service Interruptions within a consecutive 24 hour period.

(5) Each utility shall provide justification for each Outage Event removed from the data in its adjusted reliability indices as reflected in its reported Form PSC/ECR 102-1(b). For each removed Outage Event, the utility will include the following information:

(a) Area of Service affected;

(b) the number of Primary Circuits (feeders) affected;

(c) the physical damages incurred to utility facilities;

(d) the time and resources required to restore service;

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(e) the costs incurred to restore service;

(f) the applicable operational or construction standards;

(g) the actions taken to mitigate damages to its facilities; and

(h) the effects of the Outage Event on each of the reported indices.

Specific Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c)&(f), 366.04(5),
366.05, 366.05(7) FS. History-New 2-25-93, Amended 11-7-02.

AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

PUBLIC SERVICE COMMISSION

UNDOCKETED

RULE TITLES:

Continuity of Service 25-6.044
 Annual Distribution Service Reliability Report 25-6.0455

PURPOSE AND EFFECT: To eliminate ambiguities in the rules, to revise definitions, and to more clearly define the data needed to assess reliability of distribution of electric power.

SUBJECT AREA TO BE ADDRESSED: Continuity and reliability of electric service.

SPECIFIC AUTHORITY: 366.05(1) FS.

LAW IMPLEMENTED: 366.03, 366.04(5), 366.05, 366.04(2)(c),(f) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Marlene Stern, Office of General Counsel, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6230

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

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(b) through (p) No change.

(q) Planned Service Interruption." A Service Interruption initiated by the utility to perform necessary scheduled activities for public safety reasons or for scheduled activities, such as maintenance, infrastructure improvements, and new construction due to customer growth. Customers are typically notified in advance of these events.

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~~(d) The calculations for each of the required indices and measures of distribution reliability;~~

~~(2) The Distribution Service Reliability Report will exclude the impact of all service interruptions associated with generation and transmission disturbances governed by subsections 25-6.018(2) and (3), F.A.C. A utility may exclude from the Annual Distribution Service Reliability Report the Outage Events directly caused by one or more of the following: planned interruptions, a storm named by the National Hurricane Center, a tornado recorded by the National Weather Service, ice on lines, a planned load management event, an electric generation disturbance, an electric transmission system disturbance, or an extreme weather or fire event causing activation of the county emergency operation center.~~

~~(3) The report shall contain the following information on an actual and adjusted basis: A utility may submit a request to exclude an Outage Event from the Annual Distribution Service Reliability Report that is not specifically provided for in subsection 25-6.0455(2), F.A.C. Such a request must be filed with the Commission's Division of the Commission Clerk and Administrative Services within 30 days of the Outage Event for which an exclusion is being requested. The Commission will approve the request if the utility is able to demonstrate that the outage was not within the utility's control, and that the utility could not reasonably have prevented the outage.~~

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~~(d) The time and resources required to restore service;~~

~~(e) The costs incurred to restore service;~~

~~(f) The applicable operational or construction standards;~~

~~(g) The actions taken to mitigate damages to its facilities;~~

~~and~~

~~(h) The effects of the Outage Event on each of the reported indices.~~

~~Specific Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c),(f), 366.04(5), 366.05, 366.05(7) FS. History--New 2-25-93, Amended 11-7-02,~~

DEPARTMENT OF CORRECTIONS

RULE TITLE:

Close Management

RULE NO.:

33-601.800

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to revise Form DC6-229A, Close Management Daily Record of Segregation, to delete codes already documented on other forms.



JOHN T. BURNETT
ASSOCIATE GENERAL COUNSEL
PROGRESS ENERGY SERVICE COMPANY, LLC

March 15, 2006

VIA ELECTRONIC FILING

Ms. Chris Moore
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Dear Ms. Moore:

As a follow up to the Commission's February 22, 2006 Rule Workshop regarding Rules 25-6.044 and 25-6.0455, Florida Administrative Code, please accept this letter and attachment as post-workshop comments on behalf of Florida Power and Light, Gulf Power Company, Progress Energy Florida, and Tampa Electric Company (hereinafter collectively referred to as the "IOUs"). Attached as Exhibit A to this letter is a proposed revised Rule 25-6.0455 that reflects the comments, positions, and suggestions offered by the IOUs at the aforementioned workshop.

Consistent with our discussions at the rule workshop, the attached proposed Rule 25-6.0455 deletes subsection (3) of the current rule. As discussed, Staff has expressed concern that the current "exclusion filing" provision in this subsection may be subject to overuse, so we simply deleted it in the attached proposed rule.

We also propose keeping subsection (2) as it appears in the existing rule in recognition of the fact that subsection (2) hasn't presented any reporting problems and has properly recognized the significant effects of named storms, tornadoes, and the like. Subsection (2) of the attached proposed rule, however, has been modified to incorporate definitions that Staff has proposed for "planned service interruptions" and "generation and transmission disturbances." These additions add further clarity to the excluded events listed in the current subsection (2).

Finally, the attached proposed rule also includes all of Staff's changes regarding actual and adjusted data reporting requirements. As discussed in detail at the workshop, unadjusted data may not be extremely useful to Staff, and Staff may want to consider collecting such data on a more limited and informal basis, such as a pilot program, to see if such data does in fact prove to be useful over the course of two or three years. Nevertheless, the IOUs understand that Staff wishes to have actual, unadjusted data reported each year along with adjusted data reports. The IOUs reiterate, however, that unadjusted data is just that, and the IOUs respectfully suggest and request that Staff work with the IOUs to inform the public, the media, and any others that may have access to such data in the future that unadjusted data cannot properly be quantitatively and qualitatively used to make inter and intra-utility reliability comparisons.

In summary, the IOUs believe that the attached proposed rule addresses the issues and concerns that Staff raised in the February workshop and that the proposed rule will allow the IOUs to function under a familiar, yet enhanced and better defined process. The IOUs strongly recommend that Staff adopt the attached proposed rule, and the IOUs remain ready to answer any questions that Staff may have.

Respectfully submitted,



John T. Burnett

CC: Florida Power and Light
Gulf Power Company
Tampa Electric Company
Mr. Bob Trapp
Mr. Bill McNulty
Mr. Jim Breman

Annual Distribution Service Reliability Report.

(1) Each utility shall file a Distribution Service Reliability Report with the Director of the Commission's Division of Economic Regulation on or before March 1st of each year, for the preceding calendar year. The report shall contain the following information on an actual and adjusted basis:

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(b) Identification of the three percent of the utility's Primary Circuits (feeders) with the highest number of feeder breaker interruptions. For each primary circuit so identified the utility shall report the primary circuit identification number or name, substation origin, general location, number of affected customers by service class served, Number of Outage Events (N), Average Duration of Outage Events (L-Bar), Average Service Restoration Time (CAIDI), whether the same circuit is being reported for the second consecutive year, the number of years the primary circuit was reported on the "Three Percent Feeder List" in the past five years, and the corrective action date of completion. The utility shall record these data and analyses on Form PSC/ECR 102-2(a) (/06) and Form PSC/ECR 102-2(b) (/06), entitled "Three Percent Feeder List-Actual" and "Three Percent Feeder List-Adjusted," respectively, which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850) 413-6900, and which are incorporated herein by reference;

(c) The reliability indices SAIDI, CAIDI, SAIFI, MAIFIe, and CEM15 for its system and for each district or region into which its system may be divided. The utility shall report these data and analyses on Form PSC/ECR 102-3(a) (/06) and Form PSC/ECR 102-3(b) (/06), entitled "System Reliability Indices-Actual" and "System Reliability Indices Adjusted," respectively, which may be obtained from the Division of Economic Regulation, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850) 413-6900, and which are incorporated herein by reference. Any utility furnishing electric service to fewer than 50,000 retail customers shall not be required to report the reliability indices MAIFIe or CEM15;

(d) The calculations for each of the required indices and measures of distribution reliability.

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of the county emergency operation center.