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January 13, 2012

HAND DELIVERED

Ms. Kathryn G. W. Cowdery
Office of General Counsel
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

110313-PU

Re: Tampa Electric Company's Comments on Proposed Revisions to Rules 25-6.019 (Notification of Accidents); 25-6.0345 (Safety Standards for Construction of New Transmission and Distribution Facilities); and 25-6.060 (Meter Test - Referee)

Dear Ms. Cowdery:

On November 30, 2011, Tampa Electric Company requested that a rule development workshop be conducted to enable the company to present comments on three of the rules included in an undocketed notice of development of rulemaking issued November 8, 2011. The requested workshop has been scheduled for January 19, 2012. Tampa Electric thought it might be helpful and more efficient to provide the Commission's Staff and any interested persons with a summary of the company's comments and an explanation of the intent of its proposed edits in advance of the scheduled workshop.

Attached in type and strike format are Tampa Electric's proposed edits to the three referenced rules, and set forth below is a brief explanation of the basis for the company's recommended changes.

Rule 25-6.019 Notification of Accidents

As the Staff recognized in its proposed changes to the rules, notification of accidents is a subject addressed in the existing rules under Rule 25-6.019 as well as under subsection (5) of Rule 25-6.0346 pertaining to safety standards for construction of new transmission and distribution facilities. Tampa Electric thought it would be clearer and easier to locate the rule requirements relating to notification of accidents by keeping those requirements in Rule 25-6.019, which actually refers to notification of accidents in the rule title. That way there would be a stand-alone, easily accessible rule specifically addressing the notification requirements rather than deleting current 25-6.019 and addressing the accident notification requirements in a

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subsection of a rule entitled Safety Standards for Construction of New Transmission and Distribution Facilities.

The substantive changes Tampa Electric proposes to Rule 25-6.019 are fairly self-explanatory. Rather than calling upon the utility to differentiate between events that are accidents and non-accidents, the company thought it might be better to refer to "events" as opposed to "accidents". In addition, we have suggested language to clarify that the reporting requirement applies only after the utility actually learns of the event that is the subject of the reporting requirement (which can often be some time after the event actually occurs).

Tampa Electric also suggests adding language to this rule applying the rule to investor owned utilities, rural electric cooperatives and municipal electric utilities (the same applicability contained in subsection (5) of existing Rule 25-6.0345).

The company adheres to the Staff's proposed increase of the property damage limit from \$5,000 to \$10,000.

The company also suggests changing the term "involves" to "results in" in two places for clarification.

Finally, Tampa Electric's proposed subsection (4) clarifies that reporting does not constitute any type of admission of liability or fault on the part of the reporting utility.

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

This rule in its current format actually addresses three subjects: the adoption of NESC safety standards; the requirement for quarterly reports of work orders and safety compliance; and the previously-mentioned provisions of subsection (5) (accident reporting), which are duplicative of the reporting requirements in Rule 25-6.019. Tampa Electric proposes that Rule 25-6.0345 be amended to address only the safety standards for construction of new T&D and that the provisions of the existing rule regarding quarterly reports of T&D work orders and safety compliance be re-designated with a new rule number and title (e.g., Rule 25-6.0346) only addressing quarterly reports of T&D work orders and safety compliance. Subsection (5) would be repealed under the company's proposal, since those notification requirements would continue to be addressed in Rule 25-6.019.

Note that in the re-numbered portion of this rule relating to quarterly reports, Tampa Electric recommends that the rule simply state that quarterly reports shall be filed electronically, rather than attempting to prescribe the particular computer format to be used for reporting. This would enable the rule to adapt to evolving advancements in the field of electronic reporting rather than requiring a particular technical format that could soon become outdated. Note that

Ms. Kathryn G. W. Cowdery
January 13, 2012
Page 3

the format in the current rule is out-of-date in that regard referring to data formats that are no longer in common use.

Tampa Electric proposes deleting reference to the 2002 edition of the NESC in the rule and changing the references to the 2007 NESC to read 2012 NESC. The 2012 edition was adopted on August 1, 2011 and becomes effective on February 1, 2012. The "Application" section of the 2012 edition explains that equipment installations are governed by the standards in the NESC edition in effect when the installation is made. This obviates the need to refer to earlier editions in the rule.

Rule 25-6.060 Meter Test – Referee

Tampa Electric has made some minor changes to the Staff's proposed changes to this rule which are fairly self-explanatory in the attached version. The company adheres to the Staff's suggestion that meter tests under this rule be witnessed by representative of the Commission.

Tampa Electric believes that the above-recommended edits to Staff's proposed amendments to these three rules will give effect to the substantive changes Staff has proposed and, at the same time, modify the format of the existing rules to make the substantive requirements easier to locate and follow.

Please let me know if you have any questions regarding the foregoing. Tampa Electric looks forward to the opportunity to participate in the upcoming January 19 workshop.

Sincerely,



James D. Beasley

JDB/pp
Enclosure

cc: Ann Cole, Director
Office of Commission Clerk (w/enclosure)
Office of Public Counsel (w/enclosure)

25-6.019 Notification of Certain Events Involving Electrical Systems.~~Accidents.~~

(1) As soon as practicable after learning of same, each investor owned electric utility, rural electric cooperative and municipal electric utility shall notify the Commission of any event involving accident occurring in connection with any part of ~~the~~-its electrical system which:

(a) ~~Involves-Results in~~ death or injury requiring hospitalization of non-utility persons, or

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

(2) Each investor owned electric utility, rural electric cooperative and municipal electric utility shall report to the Commission within 30 days after learning of same, any event of any malfunction of or accident involving any part of the electrical system, ~~fire, or explosion~~, that:

(a) ~~Involves-Results in~~ damage to the property of others for an amount in excess of \$ ~~10,000~~5000, or,

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

(3) Reports are not required with respect to personal injury, death, or property damage resulting from vehicular equipment striking poles and/or other utility property.

(4) Reporting an event in compliance with this rule shall not constitute or be construed to effect any admission of fault or liability on the part of the reporting utility.

Specific Authority 366.05(1) FS. Law Implemented 366.04(2)(f), 366.05(1) FS. History--New 7-29-69, Amended 4-13-80. Formerly 25-6.19.

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

(1) The Commission adopts and incorporates by reference the ~~2002~~2012 edition of the National Electrical Safety Code (ANSI C-2) [NESC], as the applicable safety standards for transmission and distribution facilities subject to the Commission's safety jurisdiction. ~~For electrical facilities constructed on or after February 1, 2007, the 2007 NESC shall apply. Electrical facilities constructed prior to February 1, 2007, shall be governed by the edition of the NESC specified by subsections 013.B.1, 013.B.2, and 013.B.3 of the 2007 NESC.~~ Each investor-owned electric utility, rural electric cooperative, and municipal electric system shall, at a minimum, comply with the standards in these provisions. A copy of the ~~2007referenced~~ NESC, ~~ISBN number 0-7381-4893-8~~, may be obtained from the Institute of Electric and Electronic Engineers, Inc. (IEEE) 3 Park Avenue, New York, NY, 10016-5997.
Specific Authority 350.127(2) FS. Law Implemented 366.04(2)(f), (6) FS. History—New 8-13-87, Amended 2-18-90, 11-10-93, 8-17-97, 7-16-02, 2-1-07.

25-6.0346 Quarterly Reports of Work Orders and Safety Compliance.

(1)(2) Each investor-owned electric utility, rural electric cooperative and municipal electric utility shall report all completed electric work orders relating to new transmission and distribution facilities, 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 Regulatory Compliance and Consumer Assistance 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 outlining the general nature of the work;
- (c) Estimated cost in dollars, rounded to nearest thousand and;
- (d) Location of project.

(2)(3) The quarterly report shall be filed electronically 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

(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	Brief Title	Estimated Cost	Location

(3)(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 investor-owned electric 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 subsection (a).~~

~~(6) Each investor-owned electric 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) FS. Law Implemented 366.04(2)(f), (6) FS. History—New 8-13-87, Amended 2-18-90, 11-10-93, 8-17-97, 7-16-02, 2-1-07.

25-6.060 Meter Test — Refereed Dispute.

(1) In the event of a dispute, upon written application request to the Commission by any customer, a test of the customer's meter will be made by the utility as soon as practicable. The test will be made without charge, provided that the meter has not been tested under the supervision of a Commission representative within twelve (12) months previous to such request. If the meter has been tested under dispute during the previous twelve (12) months, the customer shall have the option of having the meter tested by an independent meter testing facility under FAC 25-6.059(4). Said test will be supervised and witnessed by a representative of the Commission.

(2) A meter shall in no way be disturbed after the utility has received notice that application has been made for such referee test unless a representative of the Commission is present or unless authority to do so is first given in writing by the Commission or by the customer.

(3) A report of the results of the test will be made by the Commission to the customer.

(4) For equipment tested under this rule, any previous accuracy test result on record at the time the meter test is requested must be retained in accordance with Rule 25-6.022, F.A.C.

Specific Authority 366.05(1) FS. Law Implemented 366.05(3) FS. History—New 7-29-69, Formerly 25-6.60, Amended 7-3-06.