

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-

DATE: October 9, 2012
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Kathryn Gale Winter Cowdery, Senior Attorney, Office of the General Counsel *K.M.C.*
RE: Docket No. 110313-PU

Please enter the attached document in the above mentioned docket number.

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COMMISSION
CLERK

DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

COMMISSIONERS:
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STATE OF FLORIDA



GENERAL COUNSEL
S. CURTIS KISER
(850) 413-6199

Public Service Commission

October 4, 2012

Ms. Liz Cloud
Florida Department of State
Administrative Code and Weekly Section
Room 701, the Capitol
Tallahassee, FL 32399-0250

VIA HAND DELIVERY

Re: Rule Certification Packet for Rules 25-7.060 and 25-7.061, Florida Administrative Code
PSC Docket No. 110313-PU

Dear Ms. Cloud:

Enclosed for filing is a complete rule certification packet for Rules 25-7.060 and 25-7.061, Florida Administrative Code, consisting of:

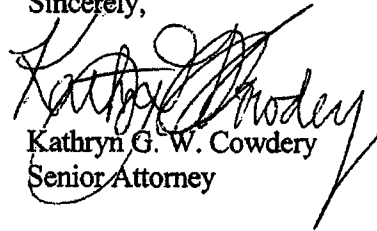
- (1) One compact disc containing the coded text of the rules;
- (2) One original certified copy of the materials incorporated by reference in Rule 25-7.061, F.A.C., in accordance with Rule 1-1.013, F.A.C.
- (3) One original and two copies of the signed rule certification form;
- (4) One original and two copies of the coded text of the rules, including the legal citations and history notes;
- (5) One original and two copies of the summary of the rules;
- (6) One original and two copies of the detailed written statement of the facts and circumstances justifying the rules; and
- (7) One original and two copies of the summary of any hearings held on the rules.

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Please let me know if you have any questions. The contact name and information for these rules are Kathryn G. W. Cowdery, Florida Public Service Commission, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0250, (850) 413-6216, kcowdery@fl.psc.state.us.

Sincerely,



Kathryn G. W. Cowdery
Senior Attorney

Enclosures

CERTIFICATION OF MATERIALS INCORPORATED

BY REFERENCE IN RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify pursuant to Rule 1-1.013, Florida Administrative Code:

(1) That materials incorporated by reference in Rule _____ have been electronically filed with the Department of State.

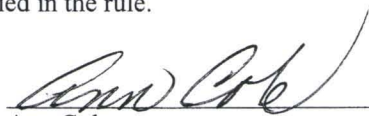
(2) That because there would be a violation of federal copyright laws if the submitting agency filed the incorporated materials described below electronically, a true and complete paper copy of the incorporated materials are attached to this certification for filing. Paper copies of the incorporated materials below may be obtained at the agency by [include address(es)/location(s)].

List form number(s) and form title(s), or title of document(s) below:

American Gas Association Gas Measurement Manual, Meter Proving Part No. Twelve, 1978 edition.

A copy of this document may be obtained from the American Gas Association, 400 North Capitol Street NW, Washington, DC , 20001.

Under the provisions of Section 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.



Ann Cole

Commission Clerk

Title

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CERTIFICATION OF FLORIDA PUBLIC SERVICE COMMISSION
ADMINISTRATIVE RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify:

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

(2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; 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

(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 Regulatory Advisory Committee.

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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 Nos.

25-7.060

25-7.061

Under the provision of Section 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)



ANN COLE

Commission Clerk
Title _____

Number of Pages Certified 2

25-7.060 Location of Meters and Associated Appurtenances.

(1) The customer shall furnish a convenient, accessible and safe place in which the meter can be installed, operated and maintained. This location insofar as practical shall be outside the building and free of possible excessive temperature variations or causes of damage which might affect meter operation or accuracy.

(2) If changes in conditions on the customer's premises adversely affect the convenience, accessibility or safety of the meter location, the customer shall be responsible for the cost of relocating the meter, its appurtenances, and related piping to a location meeting the above requirements.

Rulemaking Specific Authority 350.127(2), 366.05(1), 368.03, 368.05(2) FS. Law Implemented 366.05(1), 368.03, 368.05 FS. History—Amended 10-20-73, Repromulgated 1-8-75, Amended 5-4-75, 2-13-84. Formerly 25-7.60, Amended x-x-12.

25-7.061 Meter Testing Equipment.

(1) Each utility shall own and maintain or have access to all necessary meter testing equipment, ~~including at least one bell type meter prover of not less than five (5) cubic feet capacity or other meter testing device~~ approved by the Commission's Bureau of Division of Auditing and Safety. This equipment shall be maintained in correct adjustment so that it shall be capable of determining the accuracy of customer meters to within one-half of one percent (0.5%).

(2) The accuracy of all meter testing equipment will be established in accordance with procedures set forth in American Gas Association's Gas Measurement Manual: Meter Proving Part No. Twelve, 1978 edition, incorporated by reference herein, and which may be obtained from the American Gas Association, 400 North Capitol Street, NW, Washington, DC 20001.

(3) All alterations, accidents, or repairs to meter proving equipment which might affect the accuracy of such equipment or the method of operation shall be promptly reported in writing to the Commission's Bureau of Division of Auditing and Safety of the Commission.

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Rulemaking Specific Authority 350.127(2), 366.05(1), 368.03, 368.05(2) FS. Law Implemented 366.05(1) and (3), 368.03, 368.05 FS. History—Repromulgated 1-8-75, Amended 5-4-75, 5-27-76, 2-13-84, Formerly 25-7.61, Amended x-x-12.

SUMMARY OF THE RULES

Rule 25-7.060, Location of Meters and Associated Appurtenances, is amended to delete the requirement of locating gas meters to limit extreme temperature variations.

Rule 25-7.061, Meter Testing Equipment, is amended to change the responsible division name to the current correct title and to eliminate the requirement that a utility have at least one bell type meter. Additional rulemaking and implementing authority was added to correctly identify statutory authority.

WRITTEN STATEMENT OF THE FACTS AND CIRCUMSTANCES JUSTIFYING THE RULES

Rule 25-7.060, Location of Meters and Associated Appurtenances, is amended to delete the obsolete requirement of locating gas meters to limit extreme temperature variations. Gas meter measurement accuracy in the past could be affected by an external heat source. However, gas meters now have commonly used technology for temperature-compensation devices to correct for temperature changes in measurement.

Rule 25-7.061, Meter Testing Equipment, is amended to eliminate the requirement of having obsolete bell type meter-testing equipment technology not commonly in use in the gas industry. The rule is also amended to change the responsible division name to the current correct title.

SUMMARY OF ANY HEARINGS HELD ON THE RULES

No timely request for a hearing was received by the agency, and no hearing was held.

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