

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL INTERESTED PERSONS

UNDOCKETED

IN RE: PROPOSED REPEAL OF RULES 25-6.047, CONSTANT CURRENT STANDARDS, 25-6.081, CONSTRUCTION PRACTICES, AND 25-6.082, RECORDS AND REPORTS, AND AMENDMENT OF RULES 25-6.054, LABORATORY STANDARDS, 25-6.074, APPLICABILITY, AND 25-6.104, UNAUTHORIZED USE OF ENERGY, FLORIDA ADMINISTRATIVE CODE

ISSUED: February 7, 2020

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to repeal as obsolete Rules 25-6.047 and 25-6.082, Florida Administrative Code, and to amend Rules 25-6.054, 25-6.074, and 25-6.104, Florida Administrative Code, to delete obsolete language and to add clarity and specificity to rule language and requirements. The attached Notice of Development of Rulemaking for these rules appeared in the February 7, 2020 edition of the Florida Administrative Register. The Commission has initiated rulemaking to repeal Rule 25-6.081, Florida Administrative Code as obsolete. The Notice of Development of Rulemaking for Rule 25-6.081, Florida Administrative Code, appeared in the June 7, 2019 edition of the Florida Administrative Register.

If requested in writing and not deemed unnecessary by the agency head, a rule development workshop will be scheduled and noticed in the next available Florida Administrative Register. Written requests for a rule development workshop must be submitted to Kathryn G.W. Cowdery Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 at (850) 413-6216 by February 21, 2020.

The person to be contacted regarding the rule development is Kathryn G.W. Cowdery at (850) 413-6216 or kcowdery@psc.state.fl.us. The preliminary draft rules are attached.

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By DIRECTION of the Florida Public Service Commission this 7th day of February,
2020.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

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Notice of Development of Rulemaking

PUBLIC SERVICE COMMISSION

RULE NOS:	RULE TITLES:
25-6.047	Constant Current Standards
25-6.054	Laboratory Standards
25-6.074	Applicability
25-6.082	Records and Reports
25-6.104	Unauthorized Use of Energy

PURPOSE AND EFFECT: Rules 25-6.047 and 25-6.082, F.A.C. would be repealed as obsolete. Rules 25-6.054, 25-6.074, and 25-6.104, F.A.C. would be amended to delete obsolete language and to add clarity and specificity to rule language and requirements.

Undocketed.

SUBJECT AREA TO BE ADDRESSED: These rules address constant current standards for street lighting circuits; laboratory standards for watthour meters; residential electric underground extension; and unauthorized use of energy.

RULEMAKING AUTHORITY: 350.127(2), 366.04(2)(f), 366.05(1) FS.

LAW IMPLEMENTED: 350.115, 366.03, 366.04(2)(a), (c), (f), (5), 366.05(1), (3) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G.W. Cowdery, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

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25-6.047 Constant Current Standards.

~~(1) Equipment supplying constant current street lighting circuits shall be so adjusted as to furnish as nearly as is practicable the rated current of the circuit supplied and, under normal operating conditions, the current shall not vary more than 4% above or below the rated current of the circuit.~~

~~(2) At least once a year the current output of the equipment supplying constant current circuits shall be checked and the equipment adjusted if necessary.~~

*Rulemaking Authority 366.05(1) FS. Law Implemented 366.03, 366.04(2)(c), (5) FS. History—
New 7-29-69, Formerly 25-6.47, Repealed_____.*

1 **25-6.054 Laboratory Standards.**

2 (1) Each utility shall have available one or more watthour meters to be used as basic
3 reference standards. The watthour meters must have an adequate capacity and voltage range to
4 test all portable standards used by the utility and must meet the requirements described in
5 subsection 25-6.055(1), F.A.C.

6 (a) Watthour meters used as basic reference standards shall not be in error by more than
7 plus or minus 0.05 percent at 1.00 power factor or by more than 0.10 percent at 0.50 power
8 factor. Watthour meters shall not be used to check or calibrate portable standard watthour
9 meters unless the basic reference standard watthour meter has been checked and adjusted, if
10 necessary, to the prescribed accuracy within the preceding twelve months.

11 (b) The percent registration of each basic reference standard watthour meter shall be
12 compared with the percent registration of all other basic reference standard watthour meters
13 used by the utility.

14 (2) Each utility shall establish traceability of its watthour standard to the national standards
15 at least annually using one of the following methods:

16 (a) Through the Measurement Assurance Program (MAP) in which the National Institute
17 of Standards and Technology (NIST) has provided a transport standard; or

18 (b) Through a transport standard which is of the same nominal value and of quality equal
19 to the basic reference standards that are sent to NIST or to an independent laboratory approved
20 by the Commission.

21 (3) If error exceeding that referenced in paragraph 25-6.054(1)(a), F.A.C., in the percent
22 registration of a watthour meter used as a basic reference standard is observed in the
23 comparisons in paragraph 25-6.054(2)(b), F.A.C., the utility shall investigate the source of the
24 error. If the cause of the error cannot be corrected, use of the watthour meter as a basic
25 reference standard shall be discontinued.

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from
existing law.

1 (4) Each utility shall maintain the following historical performance records for each
2 wathour meter used as a basic reference standard until the meter is no longer in use ~~for the~~
3 ~~following types of comparisons:~~

- 4 (a) Comparisons of basic reference standards with national standards; and
5 (b) Intercomparisons made with other basic reference standards.

6 *Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.05(1),(3) FS. History–*
7 *New 7-29-69, Amended 4-13-80, 5-13-85, Formerly 25-6.54, Amended 5-19-97,*
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25-6.074 Applicability.

~~(1) Extensions of electric distribution lines applied for after the effective date of these rules, and~~ necessary to furnish permanent electric service to all structures within a new residential subdivision, or to new multiple-occupancy buildings, shall be made underground when requested by an applicant or required by governmental authority.

~~(2) Such extensions of service shall be made by the utility in accordance with the provisions in these rules.~~

Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.03 FS. History—New 4-10-71, Formerly 25-6.74, Amended _____

1 **25-6.081 Construction Practices.**

2 ~~(1) The provisions in these rules are based on the premise that each applicant and utility~~
3 ~~will provide a cooperative effort to keep the cost of construction and installation of~~
4 ~~underground systems as low as possible.~~

5 ~~(2) Each utility shall undertake to further improve underground construction proficiency~~
6 ~~toward the end that the downward trends in underground construction costs may be continued.~~

7 ~~(3) To the extent practicable, joint use of trenches by all utilities shall be undertaken where~~
8 ~~economies can be realized without impairment to safety or service, care being taken to~~
9 ~~conform to any applicable Code and utility specification.~~

10 ~~(4) To the extent practicable, where existing aerial facilities are being retired and removed~~
11 ~~from service, replacement will be made with underground construction whenever~~
12 ~~economically feasible.~~

13 *Rulemaking Authority 366.05(1) FS. Law Implemented 366.03 FS. History—New 4-10-71,*
14 *Formerly 25-6.81, Repealed.*

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1 **25-6.082 Records and Reports.**

2 ~~(1) To insure the development and availability of appropriate data necessary to satisfy the~~
3 ~~reporting requirements of Rule 25-6.078, F.A.C., herein, each utility shall maintain separate~~
4 ~~records or sub-accounts for underground distribution construction, operation and maintenance~~
5 ~~costs.~~

6 ~~(2) Records shall also be maintained of experienced results obtained in the use of joint~~
7 ~~trenching, in such manner and detail as will afford an opportunity to evaluate the economies~~
8 ~~available using this practice.~~

9 *Rulemaking Authority 366.04(2)(f), 366.05(1) FS. Law Implemented 350.115, 366.03,*
10 *366.04(2)(a), (f) FS. History—New 4-10-71, Formerly 25-6-82, Amended 10-29-97,*
11 *Repealed*_____.

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25-6.104 Unauthorized Use of Energy.

In the event of unauthorized or fraudulent use, or meter tampering, the utility may bill the customer for the time period at issue using an ~~on a reasonable~~ estimate of the energy used based upon factors such as approximate size of the residence or building, the types of appliances using electricity, use of air conditioning, and the number of occupants.

Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.03, 366.05(1) FS. History—New 7-29-69, Amended 4-13-80, 5-3-82, 11-21-82, _____.