

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-**

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**DATE:** February 17, 2022

**TO:** Office of Commission Clerk (Teitzman)

**FROM:** Office of the General Counsel (DuVal, Harper) *SMC*  
Division of Engineering (Buys, King, Maloy, Ramos) *TB*

**RE:** Docket No. 20210138-PU – Proposed adoption of Rule 25-18.020, F.A.C., Pole Safety, Inspection, Maintenance, and Vegetation Management.

**AGENDA:** 03/01/22 – Regular Agenda – Rule Proposal – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Fay

**RULE STATUS:** Rule Must be Proposed by April 1, 2022

**SPECIAL INSTRUCTIONS:** None

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### Case Background

This rulemaking was initiated to implement the 2021 Florida Legislature’s amendments to Section 366.04, Florida Statutes (F.S.), Jurisdiction of Commission, that require the Florida Public Service Commission (Commission) to regulate the safety, vegetation management, repair, replacement, maintenance, relocation, emergency response, and storm restoration requirements for communications services providers’<sup>1</sup> poles that have public utility (i.e., investor-owned electric utility) attachments.<sup>2</sup> Under the new law, the Commission is required to adopt rules that address at least the following: (1) mandatory pole inspections, including repair or replacement; (2) vegetation management requirements for poles owned by providers of communications services; and (3) monetary penalties to be imposed upon any communications services provider

<sup>1</sup> Section 366.02(5), F.S., defines “communications services provider” as an entity providing communications services as defined in Section 202.11(1), F.S.

<sup>2</sup> Section 366.04(9)(a), F.S.

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that fails to comply with any such rule of the Commission. The Commission is required to propose rules to administer and implement Section 366.04(9), F.S., no later than April 1, 2022.

A Notice of Rule Development for this rule appeared in the September 20, 2021 edition of the Florida Administrative Register, Vol. 47, No. 182. A staff rule development workshop was held on October 27, 2021. AT&T and Lumen/ Embarq Florida, Inc., d/b/a CenturyLink participated at the workshop. Frontier Florida LLC and the City of Coconut Creek, Florida filed written comments prior to the workshop. Post-workshop written comments were provided by BellSouth Telecommunications LLC, d/b/a AT&T, Embarq Florida, Inc., d/b/a CenturyLink, Duke Energy Florida, LLC, Florida Power & Light Company, and Tampa Electric Company.

Rules adopted by the Commission to implement Section 366.04(9), F.S., are not subject to Section 120.541, F.S., Statement of Estimated Regulatory Costs (SERC).<sup>3</sup> For this reason, a SERC has not been prepared for this rule.

The Commission has jurisdiction pursuant to Sections 120.54, 350.127(2), and 366.04(9), F.S.

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<sup>3</sup> Section 120.80(13)(g), F.S.

## Discussion of Issues

**Issue 1:** Should the Commission propose the adoption of Rule 25-18.020, F.A.C., Pole Safety, Inspection, Maintenance, and Vegetation Management?

**Recommendation:** Yes, the Commission should propose the adoption of Rule 25-18.020, F.A.C., Pole Safety, Inspection, Maintenance, and Vegetation Management, as set forth in Attachment A. Also, the Commission should certify that Rule 25-18.020, F.A.C., is not a minor violation rule. (DuVal, Harper, Buys, Maloy)

**Staff Analysis:** Section 366.04(9)(a), F.S., requires the Commission to regulate the safety, vegetation management, repair, replacement, maintenance, relocation, emergency response, and storm restoration requirements for communications services providers' poles. Staff believes that the draft rule set forth in Attachment A implements the Legislature's directions to the Commission to adopt rules to implement Section 366.04(9), F.S. Below is a more detailed explanation of each section of the draft rule.

### Application of the Rule

Subsection (1) of draft Rule 25-18.020, F.A.C., identifies the type of communications services providers that must comply with the rule. Specifically, the rule states that it applies to companies that meet the definition of a communications services provider pursuant to Section 366.02(5), F.S., and also own poles as defined in Section 366.02(6), F.S.

The rule goes on to specify that it does not apply to poles used solely to support wireless communications service facilities or to poles that do not have public utilities' electrical overhead facilities attached to them. Staff recommends that this language is necessary to help identify which poles are subject to the Commission's jurisdiction. Moreover, Florida law specifically exempts wireless telecommunications from the Commission's oversight pursuant to Chapter 364, F.S. Therefore, the draft rule language is meant to clarify and reiterate that the Commission does not have the authority to regulate wireless telecommunications providers' poles that do not have public utilities attached to them.

Further, subsection (1) defines "overhead facilities," for purposes of the rule, as fixtures, conductors, wires, cables, and other devices owned by public utilities that are attached to poles owned by a communications services provider.<sup>4</sup>

### Safety, Inspection, and Maintenance Standards

Subsection (2) of draft Rule 25-18.020, F.A.C., states that a communications services provider must exercise due care to reduce potential hazards caused by its poles with public utility attachments. There was a consensus among the stakeholders that the Commission's safety rules should reference the National Electric Safety Code (NESC) as the source for any such rules. The

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<sup>4</sup> Based on the definitions set forth in Section 366.02, F.S., any Commission rules regulating communications services providers' poles with public utility attachments appear to apply to at least the following entities: Windstream Florida, LLC/North Florida Telephone Company; Lumen/Embarq Florida, Inc., d/b/a CenturyLink; Frontier Florida LLC; BellSouth Telecommunications LLC, d/b/a AT&T; Northeast Florida Communications (NEFCOM); ITS Telecommunication Systems Inc. dba ITS Fiber/Indiantown Telephone System, Inc.; and Consolidated Communications, Inc./FairPoint/GTC.

NESC is a set of safety standards relevant to the national electric grid and communications systems that is published by the IEEE<sup>5</sup> and updated every five years. The NESC has been an industry-used resource since 1915 and “sets the ground rules and guidelines for practical safeguarding of utility workers and the public during the installation, operation, and maintenance of electric supply, communication lines and associated equipment.”<sup>6</sup>

The NESC provides strength and clearance requirements that vary depending on the type and location of a pole. The NESC is structured to ensure that regardless of the type or location of the pole, the pole is to maintain a certain percentage of its original constructed strength. Thus, while the NESC standards vary based on a variety of factors such as material, construction practice, and geographical location, their purpose is to ensure pole integrity. As such, the draft rule requires communications services providers to adhere to the NESC for the construction, installation, maintenance, relocation, and inspection of poles that are subject to the Commission’s jurisdiction.

### **Inspection, Repair, and Replacement of Poles**

Section 366.04(9)(b), F.S., requires the Commission to adopt rules that address mandatory pole inspections, including repair or replacement. Subsection (3) of draft Rule 25-18.020, F.A.C., satisfies this requirement and requires communications services providers to conduct inspections of its poles that are subject to the Commission’s jurisdiction at least every eight years. Such inspections must include visual checks and be conducted to ensure adherence to the strength and clearance standards of the NESC.

As discussed above, the NESC requires that poles maintain a certain percentage of their originally constructed strength and that percentage may vary based on the type of pole and its construction. Instead of mandating the performance of specific tests to determine compliance with its strength and clearance standards, the NESC allows companies the flexibility to use any measures needed to meet those standards and their underlying purpose to ensure that a pole maintains a certain percentage of its originally constructed strength. The draft rule specifically states that inspections must include visual checks. Visual checks can easily identify structural issues such as decay, loose guy wires, insect or woodpecker damage, cracked poles, etc. Thus, staff believes inspections should start with visual checks and can be expanded to include other measures (sound and bore inspections, etc.) in order to ensure that poles remain in compliance with the NESC’s requirements. If a communications services provider’s inspection identifies poles that are not in compliance with the NESC, such poles must be repaired or replaced in accordance with the appropriate NESC standards.

### ***Stakeholder Comments***

Both CenturyLink and Frontier recommend a 10-year cycle to review a pole inventory in its entirety. Frontier provides that other states, such as Oregon, require inspections to be conducted at least every 10 years and submits that such an inspection cycle is reasonable and should be adopted by the Commission. Frontier further suggests that a recommended inspection rate of 10 percent of poles per year should be included in this subsection of the draft rule. Meanwhile,

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<sup>5</sup> Institute of Electrical and Electronics Engineers.

<sup>6</sup> See <https://standards.ieee.org/products-services/nesc/> and [https://standards.ieee.org/wp-content/uploads/import/documents/other/NESC\\_overview.pdf](https://standards.ieee.org/wp-content/uploads/import/documents/other/NESC_overview.pdf).

CenturyLink suggests that the rule language should allow flexibility for different inspection percentages, but supports the establishment of a “maximum interval” between detailed inspections with a “recommended inspection rate” of 10 percent of overhead facilities per year.

Additionally, CenturyLink recommends that an inspection should be defined to include “visual checks or practical tests” of the facilities, to the extent required to identify violations of Commission safety rules that are sourced from the NESC. Similarly, Frontier recommends that the draft rule language should set forth that inspections include, but are not limited to, visual checks or practical tests to the extent required to identify violations of NESC standards. Frontier further suggests that staff include language in the draft rule to reflect that poles violating NESC standards must be remediated to meet those standards; instead of repairing or replacing the poles to meet those standards.

Both AT&T and FPL recommend that pole inspections be conducted at least every eight years. FPL points out that the Commission already requires an 8-year inspection cycle for poles owned by investor-owned electric utilities that is based on those poles’ historical performance against the climate, environment, and conditions (including hurricanes) that are present in the state of Florida. However, in contrast to Frontier’s 10 percent per year recommendation, FPL believes that companies should have the flexibility to determine their own allocation of pole inspections per year, so long as each pole is inspected once per cycle.

FPL further recommends that the rule should specify the minimum level of pole inspection and testing requirements by including a list of required forms of testing and inspection. FPL asserts that visual inspections alone will not suffice and that the rule should also require above ground line sound and bore inspections, excavations with below ground line sound and bore inspections, and strength testing that compares the current pole circumference to the original circumference. FPL further argues that Frontier’s recommendation to require remediation, instead of repair or replacement, of poles found to be in violation of the NESC weakens the proposed rule and leads to ambiguity regarding replacement of poles that could ultimately impair the reliability of electric and communications services.

Staff agrees with AT&T and FPL’s recommendation, along with FPL’s provided rationale, that an 8-year inspection cycle is appropriate. In accordance with CenturyLink and FPL’s recommendations, the draft rule language does not establish annual inspection percentages in order to afford the companies with the flexibility to determine their own inspection percentages based on their individual circumstances and capabilities. Additionally, staff agrees with the stakeholder comments regarding baseline guidance for inspections, but like CenturyLink and Frontier, believes that they must include at least visual checks and only be to the extent required to identify violations of NESC standards. Further, staff agrees with FPL’s comments that it is necessary for the draft rule to address the repair or replacement of poles in order for the Commission to comply with the requirements of Section 366.04(9)(a), F.S.

### **Vegetation Management of Poles**

Pursuant to Section 366.04(9)(b), F.S., the Commission must adopt rules regarding vegetation management requirements for communications services providers’ poles with public utility attachments. Subsection (4) of draft Rule 25-18.020, F.A.C., addresses that statutory obligation and, based on the stakeholders’ comments, requires communications services providers to

perform vegetation management of its Commission-regulated poles pursuant to Part 2 of the NESC. Specifically, Part 2, Section 218, of the NESC states that:

Vegetation management should be performed around supply and communication lines as experience has shown to be necessary. Vegetation that may damage ungrounded supply conductors should be pruned or removed.

The purpose of the NESC's requirements is to ensure that lines are free of vegetation that may interfere with the lines or that may cause a hazard. The NESC does not mandate the performance of specific vegetation management techniques, but instead allows companies the flexibility to use any measures needed to ensure compliance with the NESC's requirements and their underlying purpose to avoid interference with lines and potential hazards.

There was a consensus among the stakeholders that communications services providers should conduct vegetation management of its poles and facilities, but not of the electrical overhead facilities attached to their poles. It is staff's understanding that compliance with the NESC standards will encompass vegetation management of a communications services provider's poles and aerial communications facilities. Vegetation management of a public utility's electrical overhead facilities, however, is to be conducted by the public utility and is not the responsibility of the communications services provider.

There were a number of comments regarding agreements for vegetation management and recommendations that the rule continue to recognize and allow for such agreements. Subsection (4) of the draft rule language requires a communications services provider to "ensure" that vegetation management of its poles meets the NESC standards, regardless of the entity that actually physically conducts the vegetation management. This phrasing also contemplates any contracts or agreements between a communications services provider and a public utility with regard to vegetation management and permits a public utility to continue conducting the vegetation management of a communications services provider's poles if such an agreement exists. Regardless if there is a contract in place or not to outsource its vegetation management, a communications services provider's vegetation management must be in accordance with the appropriate NESC standards.

### **Emergency Response and Storm Restoration Procedures and Protocols**

Subsection (5) of draft Rule 25-18.020, F.A.C., requires communication services providers to submit their emergency response and storm restoration procedures and protocols to the Commission's Division of Engineering; these must include descriptions of how the communications services provider communicates with emergency operations officials, the ways that the public can contact the communications services provider, and the ways the communications services provider coordinates with the public utilities.

If such procedures and protocols are updated, a communications services provider must submit a new version of the procedures and protocols to the Commission within 30 days of the change. Furthermore, every three calendar years after its initial submission, each communications services provider must notify the Commission in writing that it has reviewed its emergency response and storm restoration procedures and protocols. Staff notes that the every 3-year review

requirement would always be calculated from the initial submission date, even if updated procedures and protocols are submitted mid-cycle.

### ***Stakeholder Comments***

In its comments, Frontier argues against the draft rule's reporting requirements and recommends the removal of any requirement to submit emergency response or storm restoration procedure and protocols.

Staff recommends that this rule language is necessary because it implements the Commission's statutory obligation set forth in Section 366.04(9)(a), F.S., to regulate communications services providers' emergency response and storm restoration efforts as related to their jurisdictional poles. The information requested by the rule will allow Commission staff to determine whether a communications services provider has emergency response and storm restoration procedures and protocols in place. Additionally, the collection of this information, along with the draft rule's requirements regarding review and submission of updated information, will ensure that a communications services provider's current procedures and protocols are readily available for the Commission and Commission staff's reference.

### **Reporting Requirements**

Subsection (6) of draft Rule 25-18.020, F.A.C., requires communications services providers to submit an annual report to the Commission that contains specified information relevant to the prior calendar year, along with specified information relevant to the upcoming calendar year.

For the prior calendar year, staff recommends that the rule require communications services providers to provide information regarding the inspection, strength testing, repair, replacement, and vegetation management of their poles that are subject to the Commission's jurisdiction. For the upcoming calendar year, staff recommends that the rule require communications services providers to provide the number of poles to be inspected and the total miles of vegetation management to be conducted.

Staff notes that under the rule, communications services providers' first annual reports would be due by June 1, 2023, and then by June 1 of each year thereafter.

### ***Stakeholder Comments***

Comments on the draft rule's reporting requirements generally address two areas: (1) the reporting period; and (2) the reporting requirements for vegetation management.

### ***Reporting Period***

In its comments, AT&T argues that an annual reporting requirement is more frequent than needed for purposes of tracking progress on pole inspection and maintenance. Instead, AT&T suggests that a reporting cycle based on the duration of the pole inspection cycle would be more appropriate. For instance, reports could be submitted every three or five years if a 10-year pole inspection cycle is approved or they could be submitted every two or three years if an 8-year pole inspection cycle is approved.

In its comments, Frontier argues that annual reporting would be unduly burdensome and would not have any meaningful impact on safety. Accordingly, in the alternative, Frontier recommends

that the Commission should require communications services providers to maintain written records that demonstrate compliance with the Commission's rules and provide a report of their pole inspections during the fifth year of 10-year inspection cycle. Frontier's suggestions are based on the pole inspection requirements that were developed and implemented by the state of Oregon.

In contrast, FPL argues that changing the frequency of the reporting requirement will not provide the Commission with the data necessary to fulfill its statutory obligation to regulate communications services providers' poles and will allow pole safety and reliability to deteriorate without Commission awareness. FPL points out that investor-owned electric utilities must also submit annual reports of their pole inspection programs<sup>7</sup> and that this method is based upon the Commission's understanding of utility poles' performance when subjected to Florida's unique climate and environment. Moreover, FPL maintains that annual reporting is necessary to ensure that the Commission and its staff have timely, meaningful data in order to take timely action if a communications services provider's pole inspection and maintenance processes are deficient.

FPL specifically argues against Frontier's suggestion that communications services providers should simply maintain written records that demonstrate compliance with the Commission's rules. FPL maintains that this suggestion defeats the legislative intent for the Commission to regulate communications services providers' poles. Moreover, FPL submits that compiling an annual report for submission to the Commission cannot be unduly burdensome if communications services providers have the capacity to maintain written records containing data representing its compliance with Commission rules.

Staff agrees with FPL's rationale that an annual reporting period will assist the Commission in fulfilling its duty required by Section 366.04(9)(a), F.S., and is necessary to verify that the communications services providers are performing inspections and conducting vegetation management on its poles as required.

### ***Reporting Requirements for Vegetation Management***

Subparagraphs (6)(a)10. and (6)(b)2. of the draft rule require communications services providers to include information about vegetation management in their annual reports. AT&T recommends the removal of such provisions because communications services providers are precluded from conducting vegetation management in the utilities' space and because such information is not meaningful as to either the safety or reliability of any aerial communications facilities. The company propounds that aerial communication facilities do not create safety issues for personnel because of their low voltage, that vegetation does not create a reliability issue unless it actually breaks a communications facility, and that vegetation management is typically only conducted on an "as needed" basis consistent with the NESC.

As provided above, FPL argues that any recommendation to modify the substance of the annual reports should be rejected because the information requested in the draft rule assists the Commission in understanding the current inspection, maintenance, and conditions of communications services providers' poles with public utility attachments.

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<sup>7</sup> Pursuant to Rule 25-6.030(4), F.A.C., pole inspection program information is included in investor-owned electric utilities' annual status report on their individual Storm Protection Plan programs and projects.



Staff agrees with FPL's reasoning and recommends that the draft rule provisions regarding reporting requirements for vegetation management should remain in the rule. Staff recommends that the reporting requirements are necessary the Commission to fulfill its duty to regulate under Section 366.04(9), F.S., and assists with the Commission's ability to monitor the communication services providers' compliance with the NESC.

### **Penalties**

Section 366.04(9)(b), F.S., requires the Commission to adopt rules establishing monetary penalties to be imposed upon any communications services provider that fails to comply with Commission rules for poles with public utility attachments. Subsection (7) of draft Rule 25-18.020, F.A.C., addresses that statutory requirement by setting forth the penalties a communications services provider will be subject to if the Commission finds that it willfully violates or refuses to comply with the rule.

### **Local Ordinances and Standards**

Subsection (8) of draft Rule 25-18.020, F.A.C., explains that no language in this rule is meant to supersede a communications services provider's responsibility to comply with any local authority's ordinances and standards.

Staff added this provision to the draft rule language based on the written comments provided by the City of Coconut Creek in an effort to eliminate potential confusion about the applicability of local ordinances or standards that may conflict with Rule 25-18.020, F.A.C.

### **Minor Violation Rules Certification**

Pursuant to Section 120.695, F.S., for each rule filed for adoption, the agency head must certify whether any part of the rule is designated as a rule the violation of which would be a minor violation. Staff recommends that Rule 25-18.020, F.A.C., is a rule for which a violation would not be a minor violation because the violation of the rule would result in economic or physical harm to a person or have an adverse effect on the public health, safety, or welfare or create a significant threat of such harm. Therefore, because a violation of Rule 25-18.020, F.A.C., would constitute a major violation, staff recommends that the Commission should certify that the rule is not a minor violation rule. No change to the Commission's current list of minor violation rules published on the Commission's website is necessary.

### **Conclusion**

Based on the foregoing, staff recommends that the Commission propose the adoption of Rule 25-18.020, F.A.C., Pole Safety, Inspection, Maintenance, and Vegetation Management, as set forth in Attachment A. Staff further recommends that the Commission should certify that Rule 25-18.020, F.A.C., is not a minor violation rule.

**Issue 2:** Should this docket be closed?

**Recommendation:** Yes. If no requests for hearing or Joint Administrative Procedures Committee (JAPC) comments are filed, this rule should be filed with the Department of State, and the docket should be closed. (DuVal, Harper)

**Staff Analysis:** If no requests for hearing or JAPC comments are filed, the rule should be filed with the Department of State, and the docket should be closed.

- 1        25-18.020 Pole Safety, Inspection, Maintenance, and Vegetation Management.
- 2        (1) This rule applies to all communications services providers as defined in Section
- 3 366.02(5), F.S., that own poles as defined in Section 366.02(6), F.S. This rule does not apply
- 4 to poles used solely to support wireless communications service facilities or poles with no
- 5 public utility electrical overhead facilities attached. For the purposes of this rule, “overhead
- 6 facilities” are defined as fixtures, conductors, wires, cables, and other devices owned by public
- 7 utilities that are attached to poles owned by a communications services provider.
- 8        (2) Safety, Inspection, and Maintenance Standards. Each communications services
- 9 provider must exercise due care to reduce hazards to which its employees, customers, and the
- 10 public may be subjected by reason of its poles. Accordingly, all poles of communications
- 11 services providers subject to the Commission’s jurisdiction under Section 366.04(9), F.S.,
- 12 must be constructed, installed, maintained, relocated, and inspected in accordance with the
- 13 National Electrical Safety Code (NESC) which is incorporated by reference in Rule 25-
- 14 6.0345, F.A.C.
- 15        (3) Inspection, Repair, and Replacement of Poles. Each communications services provider
- 16 must conduct inspections of its poles at least every eight (8) years to ensure adherence to the
- 17 strength and clearance standards of the NESC. Inspections must include visual checks to
- 18 determine compliance with the strength and clearance standards of the NESC. Poles not in
- 19 compliance with NESC standards must be repaired or replaced to meet those standards.
- 20        (4) Vegetation Management of Poles. Each communications services provider must ensure
- 21 that the vegetation management of its poles meets the standards set forth in Part 2 of the
- 22 NESC.
- 23        (5) Emergency Response and Storm Restoration Procedures and Protocols. Within six
- 24 months of the effective date of this Rule, each communications services provider must provide
- 25 a copy of its emergency response and storm restoration procedures and protocols to the

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1 Division of Engineering.

2 (a) The procedures and protocols must include the following:

3 1. A description of the communications services provider's procedures and protocols for  
4 communicating with federal, state, and local emergency operations officials;

5 2. A description of how the public can contact the communication services provider to  
6 report issues with its poles, such as broken poles, downed overhead facilities, or obstructive  
7 vegetation; and

8 3. A description of how the communication services provider coordinates with public  
9 utilities regarding emergency response or restoration efforts.

10 (b) If the communication services provider makes changes to its emergency response and  
11 storm restoration procedures and protocols, the communication services provider must file the  
12 updated emergency response and storm restoration procedures and protocols with the Division  
13 of Engineering within 30 days of the change.

14 (c) Every three calendar years after the initial submission, each communication services  
15 provider must notify the Division of Engineering in writing that it has reviewed its emergency  
16 response and storm restoration procedures and protocols.

17 (6) Reporting Requirements. By June 1 of each year, each communications services  
18 provider must file with the Commission Clerk an Annual Report.

19 (a) The Annual Report must include the following information for the prior calendar year:

20 1. The number of poles owned in whole or in part by the communications services  
21 provider at the beginning and at the end of the calendar year;

22 2. The number of poles that were scheduled for inspection;

23 3. The number of poles actually inspected;

24 4. The number of poles that failed inspection;

25 5. The number of poles strength tested;

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- 1     6. The number of poles that failed strength testing;  
2     7. The number of poles repaired and a summary of the repairs;  
3     8. The number of poles replaced and reason for replacement; and  
4     9. The total miles of vegetation management conducted.  
5     (b) The Annual Report must include the following information for the upcoming calendar  
6 year:  
7     1. The number of poles to be inspected; and  
8     2. The total miles for which vegetation management will be conducted.  
9     (7) Penalties. A willful violation or refusal to comply with this rule will result in monetary  
10 penalties as follows:  
11     (a) \$500 for the first violation;  
12     (b) \$1,000 for the second violation;  
13     (c) \$1,500 for the third violation;  
14     (d) \$2,000 for the fourth violation; and  
15     (e) \$5,000 for the fifth and any subsequent violation.  
16     (8) This rule is not meant to relieve communications services providers from adhering to  
17 any local ordinances and standards.  
18 Rulemaking Authority 350.127(2), 366.04(9)(b) FS. Law Implemented 366.04(9), 366.095  
19 FS. History-New\_\_\_\_\_.  
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