

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL INTERESTED PERSONS

UNDOCKETED

IN RE: PROPOSED AMENDMENT OF RULE 25-12.005, F.A.C.,  
CODES AND STANDARDS ADOPTED

ISSUED: August 25, 2022

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to amend Rule 25-12.005, Florida Administrative Code, to update the rule references to the 2021 edition of 49 CFR Parts 191, 192, and 199.

The attached Notice of Development of Rulemaking appeared in the August 19, 2022, 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 Adria E. Harper at [aharper@psc.state.fl.us](mailto:aharper@psc.state.fl.us) by September 7, 2022. A copy of the preliminary draft rule is attached.

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By DIRECTION of the Florida Public Service Commission this 25th day of August,  
2022.



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ADAM J. TEITZMAN  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
(850) 413-6770  
[www.floridapsc.com](http://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 NO:   RULE TITLE

25-12.005   Codes and Standards Adopted

PURPOSE AND EFFECT: To update the rule to reference the 2021 edition of 49 CFR Parts 191, 192 and 199.

Undocketed.

SUBJECT AREA TO BE ADDRESSED: Gas safety-related condition reports, minimum safety requirements for transportation of gas, and drug and alcohol testing for gas transportation operators.

RULEMAKING AUTHORITY: 368.03, 368.05(2), 350.127(2), FS.

LAW IMPLEMENTED: 368.03, 368.05, 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:

Adria E Harper, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6202, aharper@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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1       **25-12.005 Codes and Standards Adopted.**

2       The reporting requirements for operators of natural gas pipeline facilities and  
3 ~~transportation of gas~~ prescribed by the Pipeline and Hazardous Materials Safety  
4 Administration in 49 C.F.R. Part 191 (October 1, ~~2021~~ 2018), ~~are is~~ adopted and incorporated  
5 by reference as part of these rules and may be accessed at [new hyperlink]

6 ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10790~~. The ~~m~~Minimum ~~f~~Federal  
7 ~~s~~Safety ~~s~~Standards for natural gas pipeline facilities and the transportation of natural gas  
8 prescribed by the Pipeline and Hazardous Materials Safety Administration in 49 C.F.R. Part  
9 192 (October 1, 2021) Sections 192.121, 192.123, 192.143, 192.145, 192.149, 192.191,  
10 192.204, 192.281, 192.283, 192.285, 192.3, 192.313, 192.321, 192.329, 192.367, 192.375,  
11 192.376, 192.455, 192.513, 192.59, 192.720, 192.756, of 49 C.F.R. 192, as amended by 83  
12 ~~Federal Register 58716, November 20, 2018~~, are adopted and incorporated by reference as  
13 part of these rules and may be accessed at [new hyperlink]

14 ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10792~~. The remaining sections of 49  
15 C.F.R. 192, as of October 1, 2018, are adopted and incorporated by reference as part of these  
16 rules and may be accessed at http://www.flrules.org/Gateway/reference.asp?No=Ref-10794.

17 49 C.F.R. 199 (October 1, 2018), “Drug and Alcohol Testing,” is adopted and incorporated by  
18 reference to control drug use, by setting standards and requirements to apply to the testing and  
19 use of all emergency response personnel under the direct authority or control of a gas utility or  
20 pipeline operator, as well as all employees directly or indirectly employed by gas pipeline  
21 operators for the purpose of operation and maintenance and all employees directly or  
22 indirectly employed by intrastate gas distribution utilities for onsite construction of natural gas  
23 transporting pipeline facilities. The drug and alcohol testing requirements prescribed by the

24 Pipeline and Hazardous Materials Safety Administration in 49 C.F.R. Part 199 (October 1,  
25 2021 2018) are adopted and incorporated by reference as part of these rules and may be

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

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1 | accessed at [new hyperlink] ~~http://www.flrules.org/Gateway/reference.asp?No=Ref-10791.~~

2 | ~~Part 199 also is adopted to prescribe standards for use of employees who do not meet the~~  
3 | ~~requirements of the regulations.~~

4 |     *Rulemaking Authority 368.03, 368.05(2), 350.127(2) FS. Law Implemented 368.03, 368.05*  
5 | *FS. History—New 11-14-70, Amended 9-24-71, 9-21-74, 10-7-75, 11-30-82, 10-2-84, Formerly*  
6 | *25-12.05, Amended 8-8-89, 1-7-92, 5-13-99, 4-26-01, 12-15-09, 10-11-12, 3-2-17, 7-10-19.*

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