

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

SELECT A TYPE: amendment

RULE NO.: RULE TITLE:

25-12.005 Codes and Standards Adopted

25-12.008 New, Reconstructed or Converted Facilities

25-12.027 Welder Qualification

25-12.045 Inactive Gas Service Lines

25-12.052 Corrosion Control Criteria for Cathodic Protection of Buried or Submerged Metallic Pipeline

PURPOSE AND EFFECT: To update and clarify the rules, and to incorporate by reference the 2023 edition of 49 C.F.R. Parts 191, 192, and 199.

Docket No. 20250018-GU

SUMMARY: The rules incorporate and implement the minimum federal safety standards and reporting requirements for pipeline facilities and transportation of natural gas, and establish safety standards for pipeline facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that the rules will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rules. A SERC has been prepared by the agency for each rule. The SERCs examined the factors required by Section 120.541(2), FS, and concluded that the rules will not have an adverse impact on economic growth, business competitiveness, or small business and that the transactional costs to the individual and entities, including government entities, required to comply with the rules are anticipated to be minimal.

The agency has determined that the proposed rules are not expected to require legislative ratification based on the statements of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERCs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 368.03, 368.05(2), 350.127(2), F.S.

LAW IMPLEMENTED: 368.03, 368.05, 368.05(2), F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jon Rubottom, jrubotto@psc.state.fl.us, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6199.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-12.005 Codes and Standards Adopted.

The reporting requirements for operators of natural gas pipeline facilities prescribed by the Pipeline and Hazardous Materials Safety Administration in 49 C.F.R. Part 191 (October 1, ~~2023~~ 2021), are adopted and incorporated by reference as part of these rules and may be accessed at [\[insert new hyperlink\] https://www.flrules.org/Gateway/reference.asp?No=Ref-15209](https://www.flrules.org/Gateway/reference.asp?No=Ref-15209). The minimum federal safety standards for natural gas pipeline facilities and the transportation of natural gas prescribed by the Pipeline and Hazardous Materials Safety Administration in 49 C.F.R. Part 192 (October 1, ~~2023~~ 2021), are adopted and incorporated by reference as part of these rules and may be accessed at [\[insert new hyperlink\] https://www.flrules.org/Gateway/reference.asp?No=Ref-15210](https://www.flrules.org/Gateway/reference.asp?No=Ref-15210). The drug and alcohol testing requirements prescribed by the Pipeline and Hazardous Materials Safety Administration in 49 C.F.R. Part 199 (October 1, ~~2023~~ 2021), are adopted and incorporated by reference as part of these rules and may be accessed at [\[insert new hyperlink\] https://www.flrules.org/Gateway/reference.asp?No=Ref-15211](https://www.flrules.org/Gateway/reference.asp?No=Ref-15211).

Rulemaking Authority 368.03, 368.05(2), 350.127(2) FS. Law Implemented 368.03, 368.05 FS. History—New 11-14-70, Amended 9-24-71, 9-21-74, 10-7-75, 11-30-82, 10-2-84, Formerly 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, 3-20-23,_____.

25-12.008 New, Reconstructed or Converted Facilities.

- (1) No change
 - (2) Before a piping system can be converted to a regulated gas, the operator must:
 - (a) No change
 - (b) No change
 - (c) No change
 - (d) No change
 - (e) Establish the maximum allowable operating pressure no greater than the highest sustained operating pressure during the 5 years prior to conversion unless it was tested or updated after July 1, 1970 in accordance with ~~the~~ Subparts J or K of 49 C.F.R. 192 (2017), as incorporated adopted in Rule 25-12.005, F.A.C.
 - (f) No change
 - (g) Determine areas of active corrosion in accordance with ~~as required by~~ Subpart I of 49 C.F.R. 192, as incorporated in Rule 25-12.005, F.A.C., (2017) and these rules. Required cathodic protection must be accomplished within 1 year after the date of conversion except that buried steel tubing must be protected prior to placing the system into operation.
- Rulemaking Authority 350.127(2), 368.03, 368.05(2) FS. Law Implemented 368.03, 368.05(2) FS. History—New 11-14-70, Amended 9-21-74, 10-7-75, 10-2-84, Formerly 25-12.08, Amended 12-15-09, 10-11-12, 3-2-17, _____.*

25-12.027 Welder Qualification.

- (1) No welder shall make any pipeline weld unless the welder has qualified in accordance with Section 6, or Section 12 for automatic welding, of American Petroleum Institute Standard 1104 (API 1104), Welding of Pipelines and Related Facilities, 21st edition, September 2013, incorporated by reference herein, or Appendix C of 49 C.F.R. 192, (2017) as incorporated adopted in Rule 25-12.005, F.A.C., within the preceding 15 months, but at least once each calendar year. API 1104 is copyrighted and A copy of API 1104 may be inspected and examined at no cost obtained at the Florida Public Service Commission Office of the Commission Clerk, 2540 Shumard Oak Blvd., Suite 152, Tallahassee, FL 32399-0850 or at the Department of State, 400 S. Monroe Street, Room 701, the Capitol, Tallahassee, FL 32399. A copy of the American Petroleum Institute Standard 1104 may also be obtained from the American Petroleum Institute (API), 200 Massachusetts Avenue NW, Suite 1100, Washington, DC 20001-5571 from <http://www.api.org/Standards/>.
 - (2) No change
- Rulemaking Authority 350.127(2), 368.03, 368.05(2) FS. Law Implemented 368.03, 368.05 FS. History—New 1-7-92, Amended 12-15-09, 10-11-12, 3-2-17, _____.*

25-12.045 Inactive Gas Service Lines.

- (1) An operator shall take the following actions for inactive gas service lines that have been used, but have become inactive without reuse:
 - (a) No change
 - (b) No change
 - (c) Annual risk assessments shall be made for all service lines that have been inactive for more than one year.
 - 1. The annual risk assessments shall identify potential threats and shall rank risks using the operator's Distribution Integrity Management Plan developed pursuant to Subpart P of 49 C.F.R. 192, ~~Subpart P (2011)~~ which is incorporated by reference in Rule 25-12.005, F.A.C. The annual risk assessments shall include the following required elements of the operator's Distribution Integrity Management Plan in identifying threats: Presence of excess flow valves, incident and leak history, corrosion control records, continuing surveillance records, patrolling records, maintenance history, excavation damage experience, and any other data deemed relevant by the operator.
 - 2. No change
 - 3. No change
 - (d) No change
 - (e) After a service line has been inactive for a period of five years, if the inactive service line is constructed of bare steel or cast iron or does not comply with current materials standards in 49 C.F.R. 192 (2011), as incorporated by reference in Rule 25-12.005, F.A.C., the inactive service line shall be retired and

physically abandoned within six months.

- (f) No change
- (2) No change
- (3) No change

*Rulemaking Authority 350.127(2), 368.03, 368.05(2) FS. Law Implemented 368.03, 368.05(2) FS. History—
New 9-21-74, Repromulgated 10-7-75, Amended 10-2-84, Formerly 25-12.45, Amended 1-7-92, 3-18-13, _____*

25-12.052 Corrosion Control Criteria for Cathodic Protection of Buried or Submerged Metallic Pipeline.

(1) The only acceptable criteria for the determination of cathodic protection shall be I-A(1), I-A(3) and I-A(5) of Appendix D, of 49 C.F.R. 192, incorporated by reference in Rule 25-12.005, F.A.C. (2011).

(2) through (3) renumbered (a) through (b) No change.

(a) through (f) renumbered 1. through 6. No change.

(4) through (5) renumbered (2) through (3) No change.

*Rulemaking Authority 350.127(2), 368.03, 368.05(2) FS. Law Implemented 368.03, 368.05 FS. History—
New 10-7-75, Amended 10-2-84, Formerly 25-12.52, Amended 1-7-92, 10-11-12, _____*

NAME OF PERSON ORIGINATING PROPOSED RULE: Todd Brown

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2025

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 50, Number 209, October 24, 2024.

I:\FAR\250018 (rule 25-12.005).doc

Notices Submitted to/Confirmed by Administrative Code & Register Staff

[Notices Confirmed by ACR](#)

Notices Submitted to ACR

ID	Rule No./ Organization	Rule Title	Section	Issue	Date
29349501	25-6.034,...	Standard of Construction, Safety Standards for Construction of New Transmission and Distribution Facilities	Proposed	3/12/2025 Vol. 51/49	3/11/2025
29349404	25-12.005,...	Codes and Standards Adopted, New, Reconstructed or Converted Facilities, Welder Qualification, Inactive Gas Service Lines, Corrosion Control Criteria for Cathodic Protection of Buried or Submerged Metallic Pipeline	Proposed	3/12/2025 Vol. 51/49	3/11/2025
29349307	25-12.100	Penalties	Proposed	3/12/2025 Vol. 51/49	3/11/2025