

Commissioners:
JULIA L. JOHNSON, CHAIRMAN
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DIVISION OF APPEALS
DAVID E. SMITH
DIRECTOR
(850) 413-6245

Public Service Commission

May 8, 1998

Mr. Carroll Webb
Joint Administrative Procedures
Committee
120 Holland Building
Tallahassee, Florida 32399

RE: DOCKET NO. 980409-EG - PROPOSED REPEAL OF RULES 25-7.001 AUTHORIZATION OF RULES; 25-7.002 APPLICATION AND SCOPE; 25-7.004 REFERENCE TO COMMISSION; 25-7.016 SYSTEM MAPS AND RECORDS; 25-7.017 OPERATING RECORDS; 25-7.034 DESIGN AND CONSTRUCTION OF PLANT; 25-7.035 INSPECTION OF PLANT; 25-7.036 EXTENT OF SYSTEM WHICH UTILITY SHALL MAINTAIN; 25-7.051 GAS SHUT-OFF VALVES; 25-7.052 ODORIZATION; 25-7.055 LIQUEFIED PETROLEUM FACILITIES; 25-12.001 AUTHORIZATION; 25-12.002 APPLICATION; 25-12.003 SCOPE; 25-12.006 COMMISSION INTERPRETATION OF RULES; 25-12.010 EMPLOYEE EDUCATION; 25-12.023 LIMITATIONS ON UNDERGROUND THREADED JOINTS; 25-12.025 LIMITATIONS ON MATERIALS USED; 25-12.026 SERVICE REGULATOR REQUIREMENTS; 25-12.039 OPERATING AND MAINTENANCE PLANS; 25-12.048 INSPECTION OF VAULTS; 25-12.051 CORROSION REQUIREMENTS FOR STEEL TUBING; 25-12.064 MATERIALS; 25-12.065 CONSTRUCTION RECORDS; 25-12.066 TESTING RECORDS; 25-12.067 OPERATION AND MAINTENANCE RECORDS.

- ACK _____
- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- LIN _____
- OPC _____
- RCH _____
- SEC I
- WAS _____
- OTH _____

Dear Mr. Webb:

Enclosed are an original and two copies of the following materials concerning the above referenced proposed rule:

1. A copy of the rules.
2. A copy of the F.A.W. notice.
3. A statement of facts and circumstances justifying the proposed rules.

DOCUMENT NUMBER - DATE
05206 MAY -88
FPSC-RECORDS/REPORTING

4. A federal standards statement.
5. A statement of estimated regulatory costs.

If there are any questions with respect to these rules, please do not hesitate to call on me.

Sincerely,

Christiana T. Moore

Christiana T. Moore
Associate General Counsel

ADM7001.MRD

Enclosures

cc: Division of Records & Reporting

1 25-7.001 Authorization of Rules. ~~The statutory power~~
2 ~~granted to the Florida Public Service Commission to establish~~
3 ~~rules and fix standards for gas utility services is contained in~~
4 ~~Subsection (1) of Section 366.05, Florida Statutes, which states~~
5 ~~as follows:~~

6 ~~"In the exercise of such jurisdiction, the Commission shall~~
7 ~~have power to prescribe fair and reasonable rates and charges,~~
8 ~~classifications, standards of quality and measurements, and~~
9 ~~service rules and regulations to be observed by each public~~
10 ~~utility, to prescribe uniform system and classification of~~
11 ~~accounts for all public utilities which among other things shall~~
12 ~~set up adequate, fair, and reasonable depreciation rates and~~
13 ~~charges, to require the filing by each public utility of periodic~~
14 ~~reports and all other reasonably necessary data, to require~~
15 ~~repairs, improvements, additions, and extensions to the plant and~~
16 ~~equipment of any public utility reasonably necessary to promote~~
17 ~~the convenience and welfare of the public and secure adequate~~
18 ~~service or facilities for those reasonably entitled thereto, to~~
19 ~~employ and fix the compensation for such examiners, and~~
20 ~~technical, legal and clerical employees as it deems necessary to~~
21 ~~carry out the provisions of this Chapter, to prescribe all rules~~
22 ~~and regulations reasonably necessary and appropriate for the~~
23 ~~administration and enforcement of this Chapter, and to exercise~~
24 ~~all judicial powers, issue all writs and do all things necessary~~
25 ~~or convenient to the full and complete exercise of its~~

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1 ~~jurisdiction and the enforcement of its orders and requirements.~~

2 Specific Authority: 365.05, F.S.

3 Law Implemented: 366.05, F.S.

4 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.01.

5 Repealed.

6 25-7.002 Application and Scope.

7 ~~(1) These rules and regulations shall apply to all gas~~
8 ~~public utilities operating under the jurisdiction of the Florida~~
9 ~~Public Service Commission. They are intended to define good~~
10 ~~practice which can normally be expected, and to promote safe and~~
11 ~~adequate service at reasonable cost to the public. The rules~~
12 ~~also are intended to provide a basis for determining the~~
13 ~~reasonableness of such demands as may be made by the public upon~~
14 ~~the utilities.~~

15 ~~(2) In any case where compliance with any of these rules~~
16 ~~introduces unusual hardship, or if unreasonable difficulty is~~
17 ~~involved in immediate compliance with any particular rule,~~
18 ~~application may be made to the Commission for modification of the~~
19 ~~rule or for temporary exemption from its requirements. If in~~
20 ~~such case compliance with the rule would cost more than the~~
21 ~~results of such compliance are worth to the public and gas~~
22 ~~consumers, it may be vacated by the Commission.~~

23 ~~(3) No derivation from these rules shall be permitted~~
24 ~~unless authorized in writing by the Commission.~~

25 ~~(4) The adoption of these rules shall in no way preclude~~

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1 ~~the Commission, upon complaint, upon its own motion or upon the~~
2 ~~application of any utility, from altering or amending them, in~~
3 ~~whole or in part, or from requiring any other additional service,~~
4 ~~equipment, facility, or standard, or from making such~~
5 ~~modifications with respect to their application as may be found~~
6 ~~necessary to meet exceptional conditions.~~

7 ~~(5) The adoption of these rules shall not in any way~~
8 ~~relieve any utility from any of its duties under the laws of this~~
9 ~~State.~~

10 Specific Authority: 366.05(1), F.S.

11 Law Implemented: 366.03, F.S.

12 History: Repromulgated 1/6/75, 5/4/75, formerly 25-7.02₁

13 Repealed.

14 25-7.004 Reference to Commission. ~~in the event of any~~
15 ~~dispute involving the interpretation of any of these rules and~~
16 ~~regulations, any party in interest may refer the matter to the~~
17 ~~Commission for adjudication.~~

18 Specific Authority: 366.05, F.S.

19 Law Implemented: 366.05(1), F.S.

20 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.04₁

21 Repealed.

22 25-7.016 System Maps and Records.

23 (1) ~~Each utility shall maintain and, upon request, provide~~
24 ~~to the Commission an adequate description or maps to define the~~
25 ~~territory which it holds itself in readiness to serve.~~

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1 ~~(2) Each utility shall keep suitable maps or records to~~
2 ~~show size, location, character, date of installation and~~
3 ~~installed cost of major items of plant.~~

4 Specific Authority: 366.05, F.S.

5 Law Implemented: 366.05(1), F.S.

6 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.16,

7 Repealed.

8 25-7.017 Operating Records. ~~As required by the Commission~~
9 ~~each utility shall keep appropriate operating records for use in~~
10 ~~statistical and analytical studies for regulatory purposes. Such~~
11 ~~records shall include data relative to gas manufactured,~~
12 ~~produced, or purchased, amount of gas sent out, amount of coal,~~
13 ~~oil,~~
14 ~~and gas used, average heating value of gas, pressures of gas sent~~
15 ~~into system, labor charges, etc., and such other details of plant~~
16 ~~operation as may be necessary substantially to reproduce its~~
17 ~~operations.~~

18 Specific Authority: 366.06, F.S.

19 Law Implemented: 366.05(1), 366.06, F.S.

20 History: Amended 10/20/73, Repromulgated 1/8/75, 5/4/75,

21 formerly 25-7.17, Repealed.

22 25-7.034 Design and Construction of Plant. ~~The plant and~~
23 ~~facilities of the utility shall be designed, constructed,~~
24 ~~installed, maintained, and operated in accordance with accepted~~
25 ~~good practice to insure as far as reasonably possible continuity~~

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1 ~~of service, uniformity in the quality of service furnished, and~~
2 ~~the safety of persons and property.~~

3 Specific Authority: 366.05, F.S.

4 Law Implemented: 366.05(1), F.S.

5 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.34.

6 Repealed.

7 25-7.035 Inspection of Plant. ~~Each utility shall inspect~~
8 ~~its plant and facilities in such manner and with such frequency~~
9 ~~as may be necessary to insure a reasonably complete knowledge as~~
10 ~~to their condition and adequacy at all times.~~

11 Specific Authority: 366.05, F.S.

12 Law Implemented: 366.05(1), F.S.

13 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.35.

14 Repealed.

15 25-7.036 Extent of System Which Utility Shall Maintain.
16 ~~Each gas utility, unless specifically relieved in any case by the~~
17 ~~Commission from such obligation, shall operate and maintain in~~
18 ~~safe, efficient, and proper condition all of the facilities and~~
19 ~~equipment used in connection with the distribution, regulation,~~
20 ~~measurement, and delivery of gas to any customer up to and~~
21 ~~including the point of delivery into the piping owned by the~~
22 ~~consumer.~~

23 Specific Authority: 366.05, F.S.

24 Law Implemented: 366.05(1), F.S.

25 History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.36.

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1 Repealed.

2 25-7.051 Gas Shut-Off Valves.

3 ~~(1) Each gas service line shall include a suitable shut-off~~
4 ~~valve in a readily accessible location that, if feasible, is~~
5 ~~outside of the structure served.~~

6 ~~(2) Each shut off valve shall be installed upstream of the~~
7 ~~regulator or, if there is no regulator, upstream of the meter.~~

8 Specific Authority: 366.05(1), F.S.

9 Law Implemented: 366.05(1), F.S.

10 History: Amended 10/20/73, Repromulgated 1/8/75, 5/4/75,
11 formerly 25-7.51, Repealed.

12 25-7.052 Odorization.

13 ~~(1) All gas supplied by utilities to customers shall~~
14 ~~possess in its natural state or be so treated as to possess a~~
15 ~~distinctive and readily detectable odor to act as an indication~~
16 ~~of its presence before delivery to the customer. In addition,~~
17 ~~all liquefied hydrocarbon gas shall be so odorized before or at~~
18 ~~the time it is placed in the storage vessel at the utility's~~
19 ~~plant or station.~~

20 ~~(2) Upon request the company shall report the kind and~~
21 ~~method of odorization.~~

22 Specific Authority: 366.05(1), F.S.

23 Law Implemented: 366.05(1), F.S.

24 History: Amended 10/20/73, Repromulgated 1/8/75, 5/4/75,
25 formerly 25-7.52, Repealed.

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1 25-7.055 Liquefied Petroleum Gas Facilities. ~~In these~~
2 ~~utilities having liquefied petroleum gas installations wherein~~
3 ~~such gases are stored and used in conjunction with utility~~
4 ~~production, operation, and maintenance of such facilities shall~~
5 ~~conform to the standards as set forth in Rule 25-12.05.~~

6 Specific Authority: 366.05(1), F.S.

7 Law Implemented: 366.05(1), F.S.

8 History: Repromulgated 1/8/75, 5/4/75, Amended 5/27/82, formerly
9 25-7.55, Repealed.

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1 25-12.001 Authorization.

2 ~~The statutory power granted to the Florida Public Service~~
3 ~~Commission to establish rules and standards for safe design,~~
4 ~~installation, operation and maintenance of gas systems is~~
5 ~~contained in Section 368.05, Florida Statutes.~~

6 Specific Authority: 368.05(2), F.S.

7 Law Implemented: 368.05(2), F.S.

8 History: New 6/20/67, Amended 3/7/70, 11/14/70, Repromulgated
9 10/7/75, formerly 25-12.01, Repealed.

10 25-12.002 Application.

11 ~~(1) These rules and regulations shall apply to pipeline~~
12 ~~facilities and the transportation of gas within the State of~~
13 ~~Florida as defined herein.~~

14 ~~(2) The adoption of these rules shall in no way relieve any~~
15 ~~operator from any duties under the laws of this State.~~

16 ~~(3) No deviation from these rules shall be permitted unless~~
17 ~~authorized in writing by the Commission. In cases where~~
18 ~~compliance with these rules introduces unusual hardship, or if~~
19 ~~unreasonable difficulty is involved in immediate compliance with~~
20 ~~any particular rule, petition may be made to the Commission for~~
21 ~~consideration.~~

22 ~~(4) It is not intended that these rules be applied~~
23 ~~retroactively to existing installations insofar as design,~~
24 ~~fabrication, installation, and testing are concerned. However~~
25 ~~the provisions of these rules shall be applicable to the~~

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1 operation, maintenance and uprating of existing installations.

2 ~~(5) The adoption of these rules shall in no way preclude~~
3 ~~the Commission, upon complaint, upon its own motion or upon the~~
4 ~~petition of any operator from altering or amending them, in whole~~
5 ~~or in part, or from requiring additional reports as may be deemed~~
6 ~~necessary, or from making such modifications with respect to~~
7 ~~their petitions as may be found necessary to meet new or~~
8 ~~exceptional conditions.~~

9 ~~(6) Nothing in these rules shall be construed to make the~~
10 ~~operator liable for the condition or maintenance of piping and~~
11 ~~appliances beyond the outlet of the operator's meter other than~~
12 ~~ascertaining that required tests have been made, nor shall the~~
13 ~~operator be held liable for any continuing duty of inspection of~~
14 ~~such piping or appliances.~~

15 Specific Authority: 368.05(2), F.S.

16 Law Implemented: 368.03, F.S.

17 History: New, 6/24/67, Amended 3/7/70, 11/14/70, Repromulgated
18 10/7/75, Amended 10/2/84, formerly 25-12.02, Repealed.

19 25-12.003 Scope.

20 ~~(1) These rules cover the design, fabrication,~~
21 ~~installation, inspection, testing, conditions of use, and safety~~
22 ~~standards for installation, operation and maintenance of gas~~
23 ~~pipelines, meaning all parts of those physical facilities through~~
24 ~~which gas is moved in transportation and including appurtenances~~
25 ~~thereto, up to the outlet of the operator's meter.~~

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1 ~~(2) These rules are concerned with the use of liquefied~~
2 ~~petroleum gases only to the extent that they are used and stored~~
3 ~~on the operator's property for use as stand-by or peak shaving in~~
4 ~~connection with its gas facilities.~~

5 Specific Authority: 368.05(2), F.S.

6 Law Implemented: 368.03, F.S.

7 History: New 6/24/67, Amended 3/7/70, 11/14/70, 9/21/74,

8 Repromulgated 10/7/75, Amended 10/2/84, formerly 25-12.03,

9 Repealed.

10 25-12.006 Commission Interpretation of Rules.

11 ~~In the event of any dispute involving the interpretation of~~
12 ~~any of these rules or adopted standards or codes, any party in~~
13 ~~interest may petition the Commission for adjudication.~~

14 Specific Authority: 368.05(2), F.S.

15 Law Implemented: 368.03, F.S.

16 History: New 11/14/70, Repromulgated 10/7/75, Amended 10/2/84,

17 formerly 25-12.06, Repealed.

18 25-12.010 Employee Education.

19 ~~Each operator shall maintain an active training program for~~
20 ~~the purpose of educating each employee relative to procedures,~~
21 ~~plans and specifications required by these rules and adopted~~
22 ~~codes or standards as they affect the employee's specific duties~~
23 ~~and responsibilities.~~

24 Specific Authority: 368.05(2), F.S.

25 Law Implemented: 368.05(2), F.S.

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1 History: New 11/14/70, Amended 9/21/74, Repromulgated 10/7/75,
2 formerly 25-12.10, Repealed.

3 25-12.023 Limitations on Underground Threaded Joints.

4 ~~When threaded joints are used to connect portions of a~~
5 ~~pipeline and such joints are to be buried.~~

6 ~~(1) "Jacking" or similar operations which impose abnormal~~
7 ~~stresses on the threaded joint are prohibited.~~

8 ~~(2) All joints must be externally coated with a material~~
9 ~~suitable for corrosion control prior to burial.~~

10 Specific Authority: 368.05(2), F.S.

11 Law Implemented: 368.05(2), F.S.

12 History: New 9/21/74, Repromulgated 10/7/75, formerly 25-12.23,
13 Repealed.

14 25-12.025 Limitations on Materials Used.

15 ~~Pressure containing components which do not conform to~~
16 ~~standards or specifications adopted by these rules may be~~
17 ~~qualified by petitioning the Commission for approval. Such~~
18 ~~petition must, if possible, identify the material with a~~
19 ~~comparable material, and it must be shown that the material will~~
20 ~~comply with specifications of the compared material except as~~
21 ~~noted. Complete information as to the chemical composition and~~
22 ~~physical properties shall be supplied to the Commission and the~~
23 ~~Commission's approval must be obtained prior to use.~~

24 Specific Authority: 368.04(2), F.S.

25 Law Implemented: 368.05(2), F.S.

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1 History: New 9/21/74, Repromulgated 10/7/75, formerly 25-12.25,
2 Repealed.

3 25-12.026 Service Regulator Requirements.

4 ~~Any regulating device used as a service regulator must be~~
5 ~~used in conjunction with a relief valve or other over pressure~~
6 ~~protection equipment. Any relieving device must be vented to the~~
7 ~~outside atmosphere with the relief valve set to open to prevent~~
8 ~~the pressure of gas going to the customer from exceeding a~~
9 ~~maximum safe value. A relief valve may either be built into the~~
10 ~~regulator or it may be a separate unit installed downstream.~~

11 Specific Authority: 368.05(2), F.S.

12 Law Implemented: 368.03, F.S.

13 History: New 9/21/74, Repromulgated 10/7/75, formerly 25-12.26,
14 Repealed.

15 25-12.039 Operating and Maintenance Plans.

16 ~~(1) Each operator must have on file with this Commission a~~
17 ~~comprehensive plan for the operation and maintenance of each~~
18 ~~pipeline facility transporting gas under the operator's control.~~
19 ~~All work performed must conform with this plan.~~

20 ~~(2) The plan shall be reviewed, kept up to date and revised~~
21 ~~as changes are made in operating and maintenance requirements for~~
22 ~~the pipeline facility. Such revisions are required to be filed~~
23 ~~with the Commission within 30 days.~~

24 Specific Authority: 368.05(2), F.S.

25 Law Implemented: 368.05(2), F.S.

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1 History: New 11/14/70, Amended 9/21/74, Repromulgated 10/7/75,
2 Amended 10/2/84, formerly 25-12.81, formerly 25-12.39, Repealed
3 _____.

4 25-12.048 Inspection of Vaults.

5 ~~Each vault housing a pressure limiting, pressure relief or~~
6 ~~pressure regulating station shall be inspected at intervals not~~
7 ~~exceeding fifteen (15) months, but at least each calendar year,~~
8 ~~to determine that:~~

9 ~~(1) It is structurally sound and that there is no bearing~~
10 ~~upon the pipeline facilities.~~

11 ~~(2) The cover presents no hazard to the public or the~~
12 ~~equipment in the vault.~~

13 ~~(3) Pipeline facilities in the vault are adequately~~
14 ~~protected from external corrosion.~~

15 ~~(4) Venting and/or ventilating equipment, if required, is~~
16 ~~in proper operating condition.~~

17 Specific Authority: 368.05(2), F.S.

18 Law Implemented: 368.05(2), F.S.

19 History: New 9/21/74, Repromulgated 10/7/75, Amended 10/2/84,
20 formerly 25-12.48, Repealed _____.

21 25-12.051 Corrosion Requirements for Steel Tubing.

22 ~~Cathodic protection to at least the degree required in~~
23 ~~Subpart I, Part 192, Title 49, CFR, and these rules, must be~~
24 ~~applied to buried steel tubing used as a pipeline prior to~~
25 ~~placing it into operation.~~

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1 Specific Authority: 368.05(2), F.S.

2 Law Implemented: 368.05(2), F.S.

3 History: New 9/21/74, Repromulgated 10/7/75, Amended 10/2/84,
4 formerly 25-12.51, Repealed.

5 25-12.064 Materials.

6 ~~Records shall be kept sufficient to prove that all materials~~
7 ~~and components used or intended to be used in the gas pipeline~~
8 ~~meet the applicable specifications listed in these rules or~~
9 ~~adopted standards.~~

10 Specific Authority: 368.05(2), F.S.

11 Law Implemented: 368.05(2), F.S.

12 History: New 6/24/67, Amended 11/15/70, 9/21/74, Repromulgated
13 10/7/75, formerly 25-12.64, Repealed.

14 25-12.065 Construction Records.

15 ~~Records of any construction or replacement of pipelines~~
16 ~~shall be maintained sufficient to show the nature of the work~~
17 ~~done, its actual location, the date of installation and the date~~
18 ~~cathodic protection was applied.~~

19 Specific Authority: 368.05(2), F.S.

20 Law Implemented: 368.05(2), F.S.

21 History: New 6/24/67, Amended 11/14/70, 9/21/74, Repromulgated
22 10/7/75, Amended 10/2/84, formerly 25-12.65, Repealed.

23 25-12.066 Testing Records.

24 ~~A record shall be made of all strength or leak tests~~
25 ~~required by these rules and adopted codes and standards. The~~

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1 ~~test records for the operator's facilities shall include the~~
2 ~~location of the pipeline, length, diameter, type facility,~~
3 ~~pressure sustained, duration of test and date of test.~~

4 Specific Authority: 368.05(2), F.S.

5 Law Implemented: 368.05(2), F.S.

6 History: New 6/24/67, Amended 11/14/70, 9/21/74, Repromulgated
7 10/7/75, Amended 10/2/84, formerly 25-12.66, Repealed.

8 25-12.067 Operation and Maintenance Records.

9 ~~Records sufficient to show compliance with the applicable~~
10 ~~operation and maintenance requirements of these rules or adopted~~
11 ~~standards shall be established and maintained. Records shall~~
12 ~~allow easy identification of each device or facility and its~~
13 ~~location, show work performed and date the work was performed.~~

14 Specific Authority: 368.05(2), F.S.

15 Law Implemented: 368.05(2), F.S.

16 History: New 6/24/67, Amended 11/14/70, 9/21/74, Repromulgated
17 10/7/75, Amended 10/2/84, formerly 25-12.67, Repealed.

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FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 980409-EG

RULE TITLE:

RULE NO.:

Authorization of Rules	25-7.001
Application and Scope	25-7.002
Reference to Commission	25-7.004
System Maps and Records	25-7.016
Operating Records	25-7.017
Design and Construciton of Plant	25-7.034
Inspection of Plant	25-7.035
Extent of System Which Utility Shall Maintain	25-7.036
Gas Shut-Off Valves	25-7.051
Odorization	25-7.052
Liquefied Petroleum Facilities	25-7.055

PURPOSE AND EFFECT: To repeal rules that are either unnecessary, obsolete, or duplicative of other rules or statutes.

SUMMARY: Elimination of unnecessary rules.

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

SPECIFIC AUTHORITY: 365.05, 366.05, 366.05(1), 366.06, FS.

LAW IMPLEMENTED: 366.05, 366.05(1), 366.03, 366.06, FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE

SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

HEARING: IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A DATE AND PLACE THAT WILL BE NOTICED IN THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULES ARE:

Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6245

THE FULL TEXT OF THESE PROPOSED RULES ARE:

25-7.001 Authorization of Rules.

Specific Authority: 365.05, F.S. Law Implemented: 366.05, F.S.

History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.01_L

Repealed.

25-7.002 Application and Scope.

Specific Authority: 366.05(1), F.S. Law Implemented: 366.03,

F.S. History: Repromulgated 1/6/75, 5/4/75, formerly 25-7.02_L

Repealed.

25-7.004 Reference to Commission.

Specific Authority: 366.05, F.S. Law Implemented: 366.05(1),

F.S. History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.04_L

Repealed.

25-7.016 System Maps and Records.

Specific Authority: 366.05, F.S. Law Implemented: 366.05(1),

F.S. History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.16_L

Repealed.

25-7.017 Operating Records.

Specific Authority: 366.06, F.S. Law Implemented: 366.05(1),
366.06, F.S. History: Amended 10/20/73, Repromulgated 1/8/75,
5/4/75, formerly 25-7.17, Repealed.

25-7.034 Design and Construction of Plant.

Specific Authority: 366.05, F.S. Law Implemented: 366.05(1),
F.S. History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.34,
Repealed.

25-7.035 Inspection of Plant.

Specific Authority: 366.05, F.S. Law Implemented: 366.05(1),
F.S. History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.35,
Repealed.

25-7.036 Extent of System Which Utility Shall Maintain.

Specific Authority: 366.05, F.S. Law Implemented: 366.05(1),
F.S. History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.36,
Repealed.

25-7.051 Gas Shut-Off Valves.

Specific Authority: 366.05(1), F.S. Law Implemented:
366.05(1), F.S. History: Amended 10/20/73, Repromulgated
1/8/75, 5/4/75, formerly 25-7.51, Repealed.

25-7.052 Odorization.

Specific Authority: 366.05(1), F.S. Law Implemented:
366.05(1), F.S. History: Amended 10/20/73, Repromulgated
1/8/75, 5/4/75, formerly 25-7.52, Repealed.

25-7.055 Liquefied Petroleum Gas Facilities.

Specific Authority: 366.05(1), F.S. Law Implemented:

366.05(1), F.S. History: Repromulgated 1/8/75, 5/4/75, Amended
5/27/82, formerly 25-7.55, Repealed ..

NAME OF PERSON ORIGINATING PROPOSED RULES: Edward Mills

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULES:

Florida Public Service Commission.

DATE PROPOSED RULES APPROVED: April 28, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:

Volume 22, Number 42, October 18, 1996

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 980409-EG

RULE TITLE:	RULE NO.:
Authorization	25-12.001
Application	25-12.002
Scope	25-12.003
Commission Interpretation of Rules	25-12.006
Employee Education	25-12.010
Limitations on Underground Threaded Joints	25-12.023
Limitations on Materials Used	25-12.025
Service Regulator Requirements	25-12.026
Operating and Maintenance Plans	25-12.039
Inspection of Vaults	25-12.048
Corrosion Requirements for Steel Tubing	25-12.051
Materials	25-12.064
Construction Records	25-12.065
Testing Records	25-12.066
Operation and maintenance Records	25-12.067

PURPOSE AND EFFECT: To repeal rules that are either unnecessary, obsolete, or duplicative of other rules or statutes.

SUMMARY: Elimination of unnecessary rules.

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

SPECIFIC AUTHORITY: 368.04(2), 368.05(2), FS.

LAW IMPLEMENTED: 368.05(2), 368.03, FS.

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF RECORDS AND REPORTING, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

HEARING: IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A DATE AND PLACE THAT WILL BE NOTICED IN THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULES ARE:

Director of Appeals, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, (850)413-6245

THE FULL TEXT OF THESE PROPOSED RULES ARE:

25-12.001 Authorization.

Specific Authority: 368.05(2), F.S. Law Implemented: 368.05(2), F.S. History: New 6/20/67, Amended 3/7/70, 11/14/70, Repromulgated 10/7/75, formerly 25-12.01, Repealed.

25-12.002 Application.

Specific Authority: 368.05(2), F.S. Law Implemented: 368.03, F.S. History: New, 6/24/67, Amended 3/7/70, 11/14/70, Repromulgated 10/7/75, Amended 10/2/84, formerly 25-12.02, Repealed.

25-12.003 Scope.

Specific Authority: 368.05(2), F.S. Law Implemented: 368.03, F.S. History: New 6/24/67, Amended 3/7/70, 11/14/70, 9/21/74,

Repromulgated 10/7/75, Amended 10/2/84, formerly 25-12.03,
Repealed.

25-12.006 Commission Interpretation of Rules.

Specific Authority: 368.05(2), F.S. Law Implemented: 368.03,
F.S. History: New 11/14/70, Repromulgated 10/7/75, Amended
10/2/84, formerly 25-12.06, Repealed.

25-12.010 Employee Education.

Specific Authority: 368.05(2), F.S. Law Implemented: 368.05(2),
F.S. History: New 11/14/70, Amended 9/21/74, Repromulgated
10/7/75, formerly 25-12.10, Repealed.

25-12.023 Limitations on Underground Threaded Joints.

Specific Authority: 368.05(2), F.S. Law Implemented:
368.05(2), F.S. History: New 9/21/74, Repromulgated 10/7/75,
formerly 25-12.23, Repealed.

25-12.025 Limitations on Materials Used.

Specific Authority: 368.04(2), F.S. Law Implemented:
368.05(2), F.S. History: New 9/21/74, Repromulgated 10/7/75,
formerly 25-12.25, Repealed.

25-12.026 Service Regulator Requirements.

Specific Authority: 368.05(2), F.S. Law Implemented: 368.03,
F.S. History: New 9/21/74, Repromulgated 10/7/75, formerly
25-12.26, Repealed.

25-12.039 Operating and Maintenance Plans.

Specific Authority: 368.05(2), F.S. Law Implemented:
368.05(2), F.S. History: New 11/14/70, Amended 9/21/74,

Repromulgated 10/7/75, Amended 10/2/84, formerly 25-12.81,
formerly 25-12.39, Repealed.

25-12.048 Inspection of Vaults.

Specific Authority: 368.05(2), F.S. Law Implemented:
368.05(2), F.S. History: New 9/21/74, Repromulgated 10/7/75,
Amended 10/2/84, formerly 25-12.48, Repealed.

25-12.051 Corrosion Requirements for Steel Tubing.

Specific Authority: 368.05(2), F.S. Law Implemented:
368.05(2), F.S. History: New 9/21/74, Repromulgated 10/7/75,
Amended 10/2/84, formerly 25-12.51, Repealed.

25-12.064 Materials.

Specific Authority: 368.05(2), F.S. Law Implemented:
368.05(2), F.S. History: New 6/24/67, Amended 11/15/70,
9/21/74, Repromulgated 10/7/75, formerly 25-12.64, Repealed.

25-12.065 Construction Records.

Specific Authority: 368.05(2), F.S. Law Implemented:
368.05(2), F.S. History: New 6/24/67, Amended 11/14/70,
9/21/74, Repromulgated 10/7/75, Amended 10/2/84, formerly
25-12.65, Repealed.

25-12.066 Testing Records.

Specific Authority: 368.05(2), F.S. Law Implemented:
368.05(2), F.S. History: New 6/24/67, Amended 11/14/70,
9/21/74, Repromulgated 10/7/75, Amended 10/2/84, formerly
25-12.66, Repealed.

25-12.067 Operation and Maintenance Records.

Specific Authority: 368.05(2), F.S. Law Implemented:
368.05(2), F.S. History: New 6/24/67, Amended 11/14/70,
9/21/74, Repromulgated 10/7/75, Amended 10/2/84, formerly
25-12.67, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULES: Edward Mills

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULES:
Florida Public Service Commission.

DATE PROPOSED RULES APPROVED: April 28, 1998

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Volume 22, Number 42, October 18, 1996

Rules 25-7.001, 25-7.002, 25-7.004, 25-7.016, 25-7.017, 25-7.034, 25-7.035, 25-7.036, 25-7.051, 25-7.052, 25-7.055, 25-12.002, 25-12.003, 25-12.006, 25-12.010, 25-12.023, 25-12.025, 25-12.026, 25-12.039, 25-12.048, 25-12.051, 25-12.064, 25-12.0654, 25-12.066, 25-12.067

Docket No. 980409-EG

STATEMENT OF FACTS AND CIRCUMSTANCES JUSTIFYING RULE

The following rules have been identified as unnecessary, duplicative, or obsolete:

25-7.001 Authorization of Rules. Reiterates subsection 366.05(1), Florida Statutes, giving the Commission power to establish rules.

25-7.002 Application and Scope. Clarifies the extent of jurisdiction. Reiterates subsection 366.05(1), Florida Statutes.

25-7.004 Reference to Commission. States that parties may petition the Commission. Provides that an interested party may petition the Commission to adjudicate a dispute involving the interpretation of the rules. Section 120.565, F.S., and Rule 25-22.021, F.A.C., (or the uniform rule which will take its place) provides the same relief.

25-7.016 System Maps and Records. Requires maps of gas distribution systems. This subject is adequately covered by the gas safety rule, 25-12.061.

25-7.017 Operating Records. Requires each gas utility to keep records, including records of information about purchased gas, gas sent out, average heating value of gas, and pressures of gas sent. This requirement is adequately covered by the gas safety rule, 25-12.067, Operation and Maintenance Records.

25-7.034 Design and Construction of Plant. Sets required design standards for gas facilities. This subject is adequately covered by the Commission's gas safety rules in Chapter 25-12, F.A.C., and Code of Federal Regulations, Part 192, Subparts C, D & G.

25-7.035 Inspection of Plant. Requires gas facilities inspection. This requirement is adequately covered by Rule 25-12.030, F.A.C., Construction Inspection.

25-7.036 Extent of System Which Utility Shall Maintain. Describes the extent of gas distribution systems that must be maintained by a gas utility. This requirement is adequately covered by Chapter 368.03, F.S.

25-7.051 Gas Shut-off Valves. Requires a valve upstream of each gas meter. This requirement is covered by Rule 25-12.022, F.A.C., Requirements for Distribution System Valves.

25-7.052 Odorization. Requires gas to be odorized for safety. This requirement is covered by Rule 25-12.055, F.A.C., Odorization of Gas.

25-7.055 Liquefied Petroleum Gas Facilities. Sets standards for liquefied petroleum facilities that are integrated into gas distribution systems. The Commission has no jurisdiction over liquefied petroleum gas.

25-12.001 Authorization. States authority for adopting rules. This information is unnecessary as the text of each individual rule must be followed by a citation to its statutory authority.

25-12.002 Application. Clarifies the Commission's safety jurisdiction. Applicability and jurisdiction is covered in section 368.05, F.S.

25-12.003 Scope. Defines the facilities and type of work covered by the gas safety rules. Applicability of rules and Commission jurisdiction is covered in section 368.05, F.S.

25-12.006 Commission Interpretation of Rules. Provides that an interested party may petition the Commission to adjudicate a dispute involving the interpretation of the rules. Section 120.565, F.S., and Rule 25-22.021, F.A.C., (or the uniform rule which will take its place) provides the same relief.

25-12.010 Employee Education. Requires safety training programs for employees of gas utilities. Covered in the Code of Federal Regulations, Part 192, Subpart L. The program is already well-established with the gas operators.

25-12.023 Limitations on Underground Threaded Joints. Does not allow the "jacking" of threaded pipe joints. Threaded pipe is not being installed for gas distribution piping.

25-12.025 Limitations on Materials Used. Provides for the qualification for use of materials not conforming to existing adopted standards. This rule has never been used. The economic liability of using non-standard materials prevents operators from using these materials.

25-12.026 Service Regulator Requirements. Requires additional pressure relief devices with service regulators. This

requirement is covered in the Code of Federal Regulations, Part 192, Subpart 192.199.

25-12.039 Operating and Maintenance Plans. Requires each operator to have comprehensive written operating and maintenance plans and to file copies with the Commission Staff. Covered in the Code of Federal Regulations, Part 192, Subpart 192.605. Each Commission gas safety engineer is given a copy by each utility for safety evaluation purposes. File copies are not needed in Tallahassee.

25-12.048 Inspection of Vaults. Requires the inspection of vaults housing gas pressure limiting equipment. This requirement is covered in the Code of Federal Regulations Part 192, Subpart 192.613.

25-12.051 Corrosion Requirements for Steel Tubing. Requires cathodic protection of steel tubing prior to placing it into gas service. Very little steel tubing is now used by gas operators. Code of Federal Regulations, Part 192, Subpart 192.455, requires protection within one year.

25-12.064 Materials. Requires specific records to be kept. This is covered in part by the Code of Federal Regulations and completely by Commission Rule 25-12.060, F.A.C.. Gas operators are now keeping such records.

25-12.065 Construction Records. Requires specific records to be kept. Covered in part by the Code of Federal Regulations and completely by Commission Rule 25-12.060, F.A.C. Gas operators are now keeping such records.

25-12.066 Testing Records. Requires specific records to be kept. Covered in part by the Code of Federal Regulations and completely by Commission Rule 25-12.060, F.A.C. Gas operators are now keeping such records.

25-12.067 Operation and Maintenance Records. Requires specific records to be kept. Covered in part by the Code of Federal Regulations and completely by Commission Rule 25-12.060, F.A.C. Gas operators are now keeping such records.

STATEMENT ON FEDERAL STANDARDS

The repeal of these rules will not establish standards more restrictive than federal standards.

MEMORANDUM

October 6, 1997

TO: DIVISION OF APPEALS (MOORE)
FROM: DIVISION OF RESEARCH AND REGULATORY REVIEW (HEWITT) *CBH PD SM*
SUBJECT: STATEMENT OF ESTIMATED REGULATORY COSTS FOR PROPOSED REVISIONS TO RULE 25-7, F.A.C., RELATING TO GAS UTILITIES

Currently, Rule Section 25-7, F.A.C., Relating To Gas Utilities, contains requirements for monitoring records and safety requirements for regulated natural gas utilities. These rules are redundant of other Commission rules, the authorizing statutes, or are unnecessary.

The proposed rule language revision would repeal the referenced rules and achieve mandatory streamlining of Commission rules. Because no additional regulatory burdens would be placed on gas utilities, there should be no increase in regulatory costs from the proposed rule revision.

Florida Statutes encourage an agency to prepare a Statement of Estimated Regulatory Costs (SERC) and requires one if a lower cost regulatory alternative (LCRA) is submitted. Since no significant additional costs or adverse impacts have been identified and no other LCRA would accomplish the streamlining, there is no need for preparation of a SERC for the proposed rule changes.

Please keep my name on the CASR.

CBH:tf/e-memo97

cc: Mary Andrews Bane
Hurd Reeves

MEMORANDUM

October 6, 1997

TO: DIVISION OF APPEALS (MOORE)

FROM: DIVISION OF RESEARCH AND REGULATORY REVIEW (HEWITT) *CBH-PR*

SUBJECT: STATEMENT OF ESTIMATED REGULATORY COSTS FOR PROPOSED REVISIONS TO RULE 25-12, F.A.C., RELATING TO GAS SAFETY

Currently, Rule Section 25-12, F.A.C., Relating To Gas Safety, contains safety requirements of regulated natural gas utilities. These rules are redundant of other Commission rules, the authorizing statutes, federal regulations, or are unnecessary.

The proposed rule language revision would repeal the referenced rules and achieve mandatory streamlining of Commission rules. Because no additional regulatory burdens would be placed on gas utilities, there should be no increase in regulatory costs from the proposed rule revision.

Florida Statutes encourage an agency to prepare a Statement of Estimated Regulatory Costs (SERC) and requires one if a lower cost regulatory alternative (LCRA) is submitted. Since no significant additional costs or adverse impacts have been identified and no other LCRA would accomplish the streamlining, there is no need for preparation of a SERC for the proposed rule changes.

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cc: Mary Andrews Bane
Hurd Reeves