

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed repeal of Rule 25-6.047, FAC, Constant Current Standards; Rule 25-6.081, FAC, Construction Practices; and Rule 25-6.082, FAC, Records and Reports, and amendment of Rule 25-6.054, FAC, Laboratory Standards; Rule 25-6.074, FAC, Applicability; and Rule 25-6.104, FAC, Unauthorized Use of Energy.

DOCKET NO. 20200186-EU  
ORDER NO. PSC-2020-0343-FOF-EU  
ISSUED: October 6, 2020

The following Commissioners participated in the disposition of this matter:

GARY F. CLARK, Chairman  
ART GRAHAM  
JULIE I. BROWN  
DONALD J. POLMANN  
ANDREW GILES FAY

NOTICE OF ADOPTION OF RULE

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has repealed Rules 25-6.047, 25-6.081, and 25-6.082, Florida Administrative Code, and amended without changes Rules 25-6.054, 25-6.074, and 25-6.104, Florida Administrative Code.

The rule repeals and amendments were filed with the Department of State on October 6, 2020 and will be effective on October 26, 2020. A copy of the rules as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this Notice.

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By ORDER of the Florida Public Service Commission this 6th day of October, 2020.



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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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**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 History—New 7-29-69, Formerly 25-6.47, Repealed.*

**25-6.047 Constant Current Standards.**

*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 History—New 7-29-69, Formerly 25-6.47, Repealed.*

**25-6.054 Laboratory Standards.**

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

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

(b) The percent registration of each basic reference standard watt-hour meter shall be compared with the percent registration of all other basic reference standard watt-hour meters used by the utility.

(2) Each utility shall establish traceability of its watt-hour standard to the national standards at least annually using one of the following methods:

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

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

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

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

(a) Comparisons of basic reference standards with national standards; and

(b) Intercomparisons made with other basic reference standards.

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

**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 \_\_\_\_\_.*

**25-6.081 Construction Practices.**

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

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

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

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

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

*Repealed*.

**25-6.081 Construction Practices.**

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

*Repealed*.

**25-6.082 Records and Reports.**

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

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

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

**25-6.082 Records and Reports.**

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

**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, which may include factors such as historical usage, meter data, meter test data, approximate size of the residence or building, the types of appliances and equipment using electricity, use of air conditioning and electric heating, 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, \_\_\_\_\_.*