

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment to
Rule 25-12.005, F.A.C., Codes
and Standards Adopted.

DOCKET NO. 010104-GS
ORDER NO. PSC-01-0429-NOR-GS
ISSUED: February 22, 2001

NOTICE OF RULEMAKING

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-12.005, Florida Administrative Code, relating to codes and standards adopted.

The attached Notice of Rulemaking will appear in the March 2, 2001 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than March 23, 2001.

By ORDER of the Florida Public Service Commission, this 22nd day of February, 2001.

BLANCA S. BAYÓ, Director
Division of Records & Reporting

By: _____

Kay Flynn
Kay Flynn, Chief
Bureau of Records

(S E A L)

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NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 010104-GS

RULE TITLE:	RULE NO.:
Codes and Standards Adopted	25-12.005

PURPOSE AND EFFECT: The purpose of this rule is to update the Commission's reference to federal gas pipeline safety regulations previously adopted to reflect the most current changes as amended by the United States Department of Transportation.

SUMMARY: This change will adopt the existing federal gas pipeline safety regulations as amended by the United States Department of Transportation, in Parts 191, 192 and 199 of Title 49, Code of Federal Regulations, through January 1, 2001.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

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: 368.05(2), 350.127(2), FS

LAW IMPLEMENTED: 368.05, FS

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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.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED AT A LATER DATE.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

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

THE FULL TEXT OF THE PROPOSED RULE IS:

25-12.005 Codes and Standards Adopted.

The Minimum Federal Safety Standards and reporting requirements for pipeline facilities and transportation of gas prescribed by the United States Department of Transportation in Parts 191 and 192 of Title 49, Code of Federal Regulations (CFR) as amended through January 1, 2001 ~~October 20, 1998~~, are adopted as part of these rules. Part 199, "Drug and Alcohol Testing" as amended through January 1, 2001, ~~October 20, 1998~~ is adopted to control drug use, by setting standards and requirements to apply to the testing and use of all emergency response personnel under

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the direct authority or control of a gas utility or pipeline operator, as well as all employees directly or indirectly employed by gas pipeline operators for the purpose of operation and maintenance and all employees directly or indirectly employed by intrastate gas distribution utilities for on-site construction of natural gas transporting pipeline facilities. Part 199 also is adopted to prescribe standards for use of employees who do not meet the requirements of the regulations.

Specific Authority: 368.05(2), 350.127(2), F.S.

Law Implemented: 368.03, F.S.

History--New 11/14/70, Amended 09/24/71, Revised 09/21/74, Amended 10/07/75, 11/30/82, 10/02/84, 08/08/89, formerly 25-12.05, amended 01/07/92, 05/13/99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: C. Edward Mills

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: February 20, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 26, Number 51, December 22, 2000