

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed Repeal of Rules 25-7.001, F.A.C., 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.

DOCKET NO. 980409-GU
ORDER NO. PSC-98-0856-FOF-GU
ISSUED: June 26, 1998

The following Commissioners participated in the disposition of this matter:

JULIA L. JOHNSON, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JOE GARCIA
E. LEON JACOBS, JR.

DOCUMENT CONTROL DATE

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NOTICE OF REPEAL OF RULES

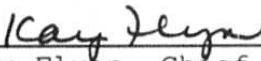
NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has repealed Rules 25-7.001, 25-7.002, 25-7.004, 25-7.016, 25-7.017, 25-7.034, 25-7.035, 25-7.036, 25-7.051, 25-7.052, 25-7.055, 25-12.001, 25-12.002, 25-12.003, 25-12.006, 25-12.010, 25-12.023, 25-12.025, 25-12.026, 25-12.039, 25-12.048, 25-12.051, 25-12.064, 25-12.065, 25-12.066, and 25-12.067, Florida Administrative Code, relating to gas utilities without changes.

The rules were filed with the Department of State on June 24, 1998 and will be effective on July 14, 1998. A copy of the rule as filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission, this 26th day of June, 1998.

BLANCA S. BAYÓ, Director
Division of Records & Reporting



Kay Flynn, Chief
Bureau of Records

(S E A L)

CTM

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

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

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

Specific Authority: 365.05, F.S.

Law Implemented: 366.05, F.S.

History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.01, Repealed 07/14/98.

25-7.002 Application and Scope.

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

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

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

~~—— (4) The adoption of these rules shall in no way preclude the Commission, upon complaint, upon its own motion or upon the application of any utility, from altering or amending them, in whole or in part, or from requiring any other additional service, equipment, facility, or standard, or from making such modifications with respect to their application as may be found necessary to meet exceptional conditions.~~

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

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, Repealed 07/14/98.

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

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, Repealed 07/14/98.

25-7.016 System Maps and Records.

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

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

Specific Authority: 366.05, F.S.

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

History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.16, Repealed 07/14/98.

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

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 07/14/98.

25-7.034 Design and Construction of Plant. ~~The plant and facilities of the utility shall be designed, constructed, installed, maintained, and operated in accordance with accepted good practice to insure as far as reasonably possible continuity of service, uniformity in the quality of service furnished, and the safety of persons and property.~~

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 07/14/98.

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

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 07/14/98.

25-7.036 Extent of System Which Utility Shall Maintain. ~~Each gas utility, unless specifically relieved in any case by the~~

~~Commission from such obligation, shall operate and maintain in safe, efficient, and proper condition all of the facilities and equipment used in connection with the distribution, regulation, measurement, and delivery of gas to any customer up to and including the point of delivery into the piping owned by the consumer.~~

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 07/14/98.

25-7.051 Gas Shut-Off Valves.

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

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

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 07/14/98.

25-7.052 Odorization.

~~(1) All gas supplied by utilities to customers shall possess in its natural state or be so treated as to possess a distinctive~~

~~and readily detectable odor to act as an indication of its presence before delivery to the customer. In addition, all liquefied hydrocarbon gas shall be so odorized before or at the time it is placed in the storage vessel at the utility's plant or station.~~

~~(2) Upon request the company shall report the kind and method of 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 07/14/98.

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

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 07/14/98.

25-12.001 Authorization.

~~The statutory power granted to the Florida Public Service Commission to establish rules and standards for safe design,~~

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~~installation, operation and maintenance of gas systems is contained in Section 368.05, Florida Statutes.~~

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 07/14/98.

25-12.002 Application.

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

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

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

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

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

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

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 07/14/98.

25-12.003 Scope.

~~(1) These rules cover the design, fabrication, installation, inspection, testing, conditions of use, and safety standards for installation, operation and maintenance of gas pipelines, meaning all parts of those physical facilities through which gas is moved~~

~~in transportation and including appurtenances thereto, up to the outlet of the operator's meter.~~

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

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 07/14/98.

25-12.006 Commission Interpretation of Rules.

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

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 07/14/98.

25-12.010 Employee Education.

~~Each operator shall maintain an active training program for the purpose of educating each employee relative to procedures, plans and specifications required by these rules and adopted codes~~

~~or standards as they affect the employee's specific duties and responsibilities.~~

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 07/14/98.

25-12.023 Limitations on Underground Threaded Joints.

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

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

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

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 07/14/98.

25-12.025 Limitations on Materials Used.

~~Pressure containing components which do not conform to standards or specifications adopted by these rules may be qualified by petitioning the Commission for approval. Such petition must, if possible, identify the material with a comparable material, and it must be shown that the material will comply with specifications of~~

~~the compared material except as noted. Complete information as to the chemical composition and physical properties shall be supplied to the Commission and the Commission's approval must be obtained prior to use.~~

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 07/14/98.

25-12.026 Service Regulator Requirements.

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

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 07/14/98.

25-12.039 Operating and Maintenance Plans.

~~(1) Each operator must have on file with this Commission a comprehensive plan for the operation and maintenance of each~~

~~pipeline facility transporting gas under the operator's control.
All work performed must conform with this plan.~~

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

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
07/14/98.

25-12.048 Inspection of Vaults.

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

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

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

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

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

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 07/14/98.

25-12.051 Corrosion Requirements for Steel Tubing.

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

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 07/14/98.

25-12.064 Materials.

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

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

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

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History: New 6/24/67, Amended 11/15/70, 9/21/74, Repromulgated 10/7/75, formerly 25-12.64, Repealed 07/14/98.

25-12.065 Construction Records.

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

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 07/14/98.

25-12.066 Testing Records.

~~A record shall be made of all strength or leak tests required by these rules and adopted codes and standards. The test records for the operator's facilities shall include the location of the pipeline, length, diameter, type facility, pressure sustained, duration of test and date of test.~~

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 07/14/98.

25-12.067 Operation and Maintenance Records.

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

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 07/14/98.