

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Amendment of Rule 25-6.034, F.A.C.,
Standard of Construction; and Rule 25-6.0345,
F.A.C., Safety Standards for Construction of
New Transmission and Distribution Facilities.

DOCKET NO. 20250019-EU
ORDER NO. PSC-2025-0074-NOR-EU
ISSUED: March 12, 2025

The following Commissioners participated in the disposition of this matter:

MIKE LA ROSA, Chairman
ART GRAHAM
GARY F. CLARK
ANDREW GILES FAY
GABRIELLA PASSIDOMO SMITH

NOTICE OF PROPOSED RULES

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has proposed the amendment of Rules 25-6.034 and 25-6.0345, Florida Administrative Code, relating to standards of construction and safety standards for electric utility facilities.

The attached Notice of Proposed Rules appeared in the March 12, 2025, edition (Vol. 51, Number 49) of the Florida Administrative Register.

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

Requests for hearing on the proposed rules, information regarding the statement of estimated regulatory costs, or proposals for a lower cost regulatory alternative must be provided in writing and received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard., Tallahassee, FL 32399-0850, no later than April 2, 2025.

By ORDER of the Florida Public Service Commission this 12th day of March, 2025.



ADAM J. TEITZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

JHR

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NOS.: RULE TITLES:

25-6.034 Standard of Construction

25-6.0345 Safety Standards for Construction of New Transmission and Distribution Facilities

PURPOSE AND EFFECT: To update and clarify the rules, and to incorporate by reference the most recent version of the National Electrical Safety Code (NESC). The NESC is also mentioned via cross-reference to Rule 25-6.0345 in Rule 25-18.020, Pole Safety, Inspection, Maintenance, and Vegetation Management, so the amendment of 25-6.0345 will affect Rule 25-18.020.

Docket No. 20250019-EU

SUMMARY: The rules incorporate and implement the NESC to regulate the construction and safety standards for electric utility facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this 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 rule. A SERC has been prepared by the Agency.

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 rule is not likely to result in transactional costs to the individuals and entities, including government entities, required to comply with the rule.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement 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: 350.127(2), 366.05(1), F.S.

LAW IMPLEMENTED: 366.04(2), (2)(c), (f), (5), (6), 366.05(1), 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:

25-6.034 Standard of Construction.

(1) No change

(2) ~~For new construction, e~~Each utility shall, at a minimum, comply with the National Electrical Safety Code (NESC) ~~[ANSI C-2]~~ ~~[NESC]~~, incorporated by reference in Rule 25-6.0345, F.A.C.

~~(a) For facilities constructed on or after February 1, 2007, the 2007 NESC shall apply. A copy of the 2007 NESC, ISBN number 0-7381-4893-8, may be obtained from the Institute of Electric and Electronic Engineers, Inc. (IEEE), 3 Park Avenue, New York, NY, 10016-5997.~~

~~(b) Facilities constructed prior to February 1, 2007, shall be governed by the edition of the NESC specified by subsections 013.B.1, 013.B.2, and 013.B.3 of the 2007 NESC, incorporated by reference in Rule 25-6.0345, F.A.C. Rulemaking Authority 350.127(2), 366.05(1) F.S. Law Implemented 366.04(2)(c), (j), (5), 366.05(1) F.S. History—New 7-29-69, Amended 12-20-82, Formerly 25-6.34, Amended 2-1-07, ____.~~

25-6.0345 Safety Standards for Construction of New Transmission and Distribution Facilities.

The safety standards prescribed ~~Commission adopts and incorporates~~ by reference the ~~2023~~ ~~2017~~ National Electrical Safety Code (NESC) ~~C2-2023~~ ~~C2-2017~~, are adopted and incorporated by reference into this rule as the applicable safety standards for transmission and distribution facilities subject to the Commission's safety jurisdiction. Each investor-owned electric utility, rural electric cooperative, and municipal electric system shall, at a minimum, comply

ORDER NO. PSC-2025-0074-NOR-EU

DOCKET NO. 20250019-EU

PAGE 4

with the standards in these provisions. The ~~2023~~ ~~2017~~ National Electrical Safety Code (NESC) ~~C2-2023~~ ~~C2-2017~~ is copyrighted and may be inspected and examined at no cost at the Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at the Department of State, 400 S. Monroe Street, Room 701, the Capitol, Tallahassee, FL 32399. A copy of the NESC ~~C2-2023~~ ~~C2-2017~~ may also be obtained from the Institute of Electric and Electronic Engineers, Inc. (IEEE), 3 Park Avenue, New York, NY 10016-5997. *Rulemaking Authority 350.127(2), 366.05(1) FS. Law Implemented 366.04(2), (6) FS. History—New 8-13-87, Amended 2-18-90, 11-10-93, 8-17-97, 7-16-02, 2-1-07, 12-16-12, 7-27-17,_____.*

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 181, September 16, 2024