

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Repeal of Rule	)	DOCKET NO. 890382-GU
25-7.056, F.A.C., Installation	)	
Practices, and Rule 25-7.082,	)	ORDER NO. 21604
F.A.C., Utilization by	)	
Customers.	)	ISSUED: 7-25-89
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NOTICE OF REPEAL OF RULES

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has repealed Rules 25-7.056 and 25-7.082, F.A.C., relating to gas safety rules, without changes.

The rule repeal was filed with the Secretary of State on July 19, 1989 and will be effective on August 8, 1989. A copy of the relevant portions of the certification filed with the Secretary of State is attached to this Notice.

This docket is closed upon issuance of this notice.

By Direction of the Florida Public Service Commission,  
this 25th day of JULY, 1989.

  
\_\_\_\_\_  
Steve Fribble  
Director  
Division of Records & Reporting

( S E A L )

WHH

DOCUMENT NUMBER-DATE  
07456 JUL 25 1989  
FPSC-RECORDS/REPORTING

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CERTIFICATION OF  
PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES  
FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) The time limitations prescribed by paragraph 120.54(11)(a), F.S., have been complied with; and

(2) There is no administrative determination under section 120.54(4), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(11)(b), F.S. They are filed not less than 28 days after the notice required by subsection 120.54(1), F.S., and;

(a) And are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed within 21 days after the adjournment of the final public hearing on the rule; or

(d) Are filed within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

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/ (e) Are filed within 21 days after the date the transcript was received by this agency.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

<u>Rule No.</u>	<u>Specific Rulemaking Authority</u>	<u>Law Being Implemented, Interpreted or Made Specific</u>
25-7.056	366.05(1), F.S.	366.05(1), F.S.
25-7.082	366.05(1), F.S.	366.05(3), F.S.

Under the provision of paragraph 120.54(12)(a), F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_  
(month) (day) (year)

\_\_\_\_\_  
Steve Tribble

\_\_\_\_\_  
Director, Division of Records & Reporting  
Title

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Number of Pages Certified

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25-7.082 Utilization by Customers.

(1) No utility shall establish gas service to any applicant until the utility has made such test of all supply piping and gas appliances as will enable it to insure, beyond reasonable doubt, the absence of any hazardous condition in the piping and appliance installation.

(2) Nothing in this rule shall be construed to make the utility liable for the condition or maintenance of piping or appliances owned by the customer beyond the making of the test above required; nor shall the utility be held liable for any continuing duty of inspection of such piping or appliances.

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

Law Implemented: 366.05(3), F.S.

History: Repromulgated 1/8/75, 5/4/75, formerly 25-7.82.

Repealed \_\_\_\_\_.

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~~25-7.056 Installation Practices. The practices governing piping and appliance installation 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 5/27/76, formerly 25-7.56, Repealed \_\_\_\_\_.~~

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Rule 25-7.056  
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SUMMARY OF RULE

Currently, Rule 25-7.056, Installation Practices, states that gas piping and appliances must be installed in conformance with standards required under Rule 25-12.005, Codes and Standards Adopted. Rule 25-7.082, Utilization by Customers, requires natural gas utilities to test all customer piping and appliances for safety prior to initiation of service. In addition, Rule 25-7.082 relieves natural gas utilities from liability for the condition, maintenance, or continuing inspection of customer piping and appliances.

The proposed rule repeals are designed to conform Commission rules to statutory authority. Repeal of Rules 25-7.056 and 25-7.082 would eliminate reference to customer piping and appliances and the consequent implication of Commission authority over installation and testing of such facilities.

SUMMARY OF HEARINGS ON THE RULE

No hearing was requested and no hearing was held.

FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The statutory jurisdiction of the Florida Public Service Commission does not extend to distribution of gas beyond the last meter prior to consumption. To clarify the rules to relate to the statutory jurisdiction, Rules 25-7.056 and 25-7.082 should be repealed.