

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Adoption of Rule	)	DOCKET NO. 910615-EU
25-6.0115, F.A.C.,	)	
Underground Electric	)	ORDER NO. PSC-92-0975-FOF-EU
Facility Costs, and	)	
Withdrawal of Amendments	)	ISSUED: 09/10/92
to Rule 25-6.078, F.A.C.,	)	
Schedule of Charges.	)	
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NOTICE OF ADOPTION OF RULE AND  
WITHDRAWAL OF RULE AMENDMENT

NOTICE is hereby given that the Commission, pursuant to section 120.54, Florida Statutes, has adopted Rule 25-6.0115, F.A.C., with changes, and withdrawn the amendments of Rule 25-6.078, F.A.C., relating to underground electric facility costs.

Rule 25-6.0115 was filed with the Department of State on September 1, 1992, and will be effective on September 21, 1992. A copy of the rule as adopted and filed with the Secretary of State is attached to this Notice.

A rule hearing was held before the full Commission May 26 and May 27, 1992. The participants at the hearing were the City of Daytona Beach Shores (DBS), the Florida League of Cities, the Florida Undergrounders, Florida Power and Light (FPL), Florida Power Corporation (FPC), Tampa Electric Company (TECO), Gulf Power Company (Gulf), Florida Rural Electric Cooperative Association, the Florida Municipal Electric Association (FMEA), and the City of Lakeland.

The staff's research report and the rule proposals were discussed. The Commission received comments on the safety benefits of underground facilities; the desire of certain communities to proceed with undergrounding of facilities; the goal for utilities to act in good faith and move more swiftly to accommodate applicants' requests for undergrounding; and the future technology of underground facilities. While the Commission was not authorized or empowered statutorily to take a "leap of faith" forward to mandate across the board undergrounding when the data did not demonstrate it to be cost-effective on a statewide-basis, the Commission did adopt a rule to better accommodate applicants' requests for underground facilities.

DOCUMENT NUMBER-DATE

10401 SEP 10 1992

2000 RECORDS/RECORDS

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This docket is closed upon issuance of this notice.

By ORDER of the Florida Public Service Commission this 10th  
day of September, 1992.

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STEVE TRIBBLE, Director  
Division of Records & Reporting

( S E A L )  
CBM

by: Kay Hegan  
Chief, Bureau of Records

PART VII - UNDERGROUND ELECTRIC DISTRIBUTION FACILITY CHARGES

25-6.0115 Facility Charges For Providing Underground  
Facilities of Public Distribution Facilities Excluding New  
Residential Subdivisions

(1) Each public utility shall file a tariff showing the non-refundable deposit amounts for standard applications addressing new construction and the conversion of existing overhead to underground facilities excluding new residential subdivisions. The tariff shall include the general provisions and terms under which the public utility and applicant may enter into a contract for the purpose of new construction or conversion of existing overhead electric facilities to underground electric facilities. The non-refundable deposit amounts shall approximate the engineering costs for underground facilities serving each of the following scenarios: urban commercial, urban residential, rural residential, existing low-density single family home subdivision and existing high-density single family home subdivision service areas.

(2) For the purpose of this rule, the applicant is the person or entity seeking the undergrounding of existing overhead electric distribution facilities. In the instance when a developer requests local government development approval, the local government shall not be deemed the applicant for purposes of this rule.

(3) Nothing in the tariff shall prevent the applicant from constructing and installing all or a portion of the underground distribution facilities provided:

(a) such work meets the public utility's construction standards;

(b) the public utility will own and maintain the completed distribution facilities; and

(c) such agreement is not expected to cause the general body of ratepayers to incur greater costs.

(4) Nothing in the tariff shall prevent the applicant from requesting a non-binding cost estimate which shall be provided to the applicant free of any charge or fee.

(5) Upon an applicant's request and payment of the deposit amount, a public utility shall provide a binding cost estimate for providing underground electric service.

(6) An applicant shall have at least 180 days from the date the estimate is received, to enter into a contract with the public utility based on the binding cost estimate. The deposit amount shall be used to reduce the charge specified in section (7) only when the applicant enters into a contract with the public utility within 180 days from the date the estimate is received by the applicant.

(7) The charge paid by the applicant shall be the charge for the proposed underground facilities as indicated in section

(8) minus the charge for overhead facilities as indicated in section (9) minus the non-refundable deposit amount. The applicant shall not be required to pay an additional amount which exceeds 10 percent of the binding cost estimate.

(8) For the purpose of this rule, the charge for the proposed underground facilities shall include:

(a) the estimated cost of construction of the underground distribution facilities including the construction cost of the underground service lateral(s) to the meter(s) of the customer(s);

(b) for conversions, the estimated remaining net book value of the existing facilities to be removed less the estimated net salvage value of the facilities to be removed.

(9) For the purpose of this rule, the charge for overhead facilities shall be the estimated construction cost to build new overhead facilities, including the service drop(s) to the meter(s) of the customer(s).

(10) An applicant to a public utility for construction of underground distribution facilities may petition the Commission pursuant to Rule 25-22.032, F.A.C..

(11) Nothing in this rule shall be construed to grant any electric utility any right, title or interest in real property owned by a local government.

Specific Authority: 366.04, 366.05(1), F.S.

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Law Implemented: 366.03, 366.04, 366.05, F.S.

History: New 9/21/92.