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KATRINA J. TEW

STATE OF FLORIDA



GENERAL COUNSEL  
MICHAEL G. COOKE  
(850) 413-6248

# Public Service Commission

December 21, 2006

Ms. Liz Cloud  
Bureau of Administrative Code  
Department of State  
R. A. Gray Building, Room 101  
500 South Bronough Street  
Tallahassee, FL 32399-0250

RECEIVED  
2007 JAN -3 AM 10:55  
STATE OF FLORIDA  
DEPARTMENT OF STATE

**Re: Corrected Text of Rule 25-6.0345, F.A.C., Filed for Adoption 11/20/06**

Dear Ms. Cloud:

Enclosed are an original and three copies of Rule 25-6.0345, F.A.C., as it correctly appeared in the October 20, 2006 issue of the Florida Administrative Weekly. Please substitute this version of the rule for the one that was inadvertently filed for adoption on November 20, 2006.

Please do not hesitate to call me at (850) 413-6076 if you have any questions. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry D. Harris".

Larry D. Harris  
Associate General Counsel

LDH:wlt

Enclosure

cc: John Rosner, Joint Administrative Procedures Committee  
Commission Clerk & Administrative Services

1           25-6.0343 Municipal Electric Utility and Rural Electric Cooperative Reporting

2           Requirements

3           (1) Application and Scope. The purpose of this rule is to define certain reporting  
4 requirements by municipal electric utilities and rural electric cooperatives providing  
5 distribution service to end-use customers in Florida.

6           (2) The reports required by subsections (3), (4), and (5) of this rule shall be filed with  
7 the Director of the Division of Economic Regulation by March 1 of each year for the  
8 preceding calendar year.

9           (3) Standards of Construction. Each municipal electric utility and rural electric  
10 cooperative shall report the extent to which its construction standards, policies, practices, and  
11 procedures are designed to address the ability of transmission and distribution facilities to  
12 mitigate damage caused by extreme weather. Each utility report shall, at a minimum, address  
13 the extent to which its construction standards, policies, guidelines, practices, and procedures:

14           (a) Comply, at a minimum, with the National Electrical Safety Code (ANSI C-2)  
15 [NESC]. For electrical facilities constructed on or after February 1, 2007, the 2007 NESC  
16 shall apply. Electrical facilities constructed prior to February 1, 2007, shall be governed by  
17 the edition of the NESC in effect at the time of the facility's initial construction. A copy of  
18 the 2007 NESC, ISBN number 0-7381-4893-8, may be obtained from the Institute of Electric  
19 and Electronic Engineers, Inc. (IEEE).

20           (b) Are guided by the extreme wind loading standards specified by Figure 250-2(d) of  
21 the 2002 edition of the NESC for:

- 22           1. new construction;  
23           2. major planned work, including expansion, rebuild, or relocation of existing  
24 facilities, assigned on or after the effective date of this rule; and

25           CODING: Words underlined are additions; words in ~~struck through~~ type are deletions  
            from existing law.

1           3. targeted critical infrastructure facilities and major thoroughfares taking into account  
2 political and geographical boundaries and other applicable operational considerations.

3           (c) Address the effects of flooding and storm surges on underground distribution  
4 facilities and supporting overhead facilities.

5           (d) Provide for placement of new and replacement distribution facilities so as to  
6 facilitate safe and efficient access for installation and maintenance.

7           (e) Include written safety, pole reliability, pole loading capacity, and engineering  
8 standards and procedures for attachments by others to the utility's electric transmission and  
9 distribution poles.

10           (4) Facility Inspections. Each municipal electric utility and rural electric cooperative  
11 shall report, at a minimum, the following information pertaining to its transmission and  
12 distribution facilities:

13           (a) A description of the utility's policies, guidelines, practices, and procedures for  
14 inspecting transmission and distribution lines, poles, and structures including, but not limited  
15 to, pole inspection cycles and pole selection process.

16           (b) The number and percentage of transmission and distribution inspections planned  
17 and completed.

18           (c) The number and percentage of transmission poles and structures and distribution  
19 poles failing inspection and the reason for the failure.

20           (d) The number and percentage of transmission poles and structures and distribution  
21 poles, by pole type and class of structure, replaced or for which remediation was taken after  
22 inspection, including a description of the remediation taken.

23  
24           (5) Vegetation Management. Each municipal electric utility and rural electric  
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CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from existing law.

1 cooperative shall report, at a minimum, the following information pertaining to the utility's  
2 vegetation management efforts:

3 (a) A description of the utility's policies, guidelines, practices, and procedures for  
4 vegetation management, including programs addressing appropriate planting, landscaping, and  
5 problem tree removal practices for vegetation management outside of road right-of-ways or  
6 easements, and an explanation as to why the utility believes its vegetation management  
7 practices are sufficient.

8 (b) The quantity, level, and scope of vegetation management planned and completed  
9 for transmission and distribution facilities.

10 Specific Authority: 350.127(2), 366.05(1) FS.

11 Law Implemented: 366.04(2)(f), 366.04(6) FS.

12 History: New 12/12/06.

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2011 JAN -9 AM 10:35  
STATE OF FLORIDA  
DEPARTMENT OF  
TRANSPORTATION

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STATE OF FLORIDA

COMMISSIONERS:  
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OFFICE OF THE GENERAL COUNSEL  
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# Public Service Commission

January 3, 2007

HAND DELIVER

Mr. Scott Boyd, Executive Director  
Joint Administrative Procedures Committee  
Room 120 Holland Building  
Tallahassee, FL 32399-1300

RE: Docket No. 060172-EU – Proposed rules governing placement of new electric distribution facilities underground, and conversion of existing overhead distribution facilities to underground facilities, to address effects of extreme weather events.  
Docket No. 060173-EU – Proposed amendments to rules regarding overhead electric facilities to allow more stringent construction standards than required by National Electric Safety Code.

Dear Mr. Boyd:

The Commission has approved the adoption of Rules 25-6.034, 25-6.0341, 25-6.0342, 25-6.0345, 25-6.064, 25-6.078, and 25-6.115, with changes.

The notice of change was published in the December 22, 2006 Florida Administrative Weekly. The pending challenge to the rules at DOAH was resolved on December 22, 2006.

We plan to file the rules for adoption on January 12, 2007.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry D. Harris".

Larry D. Harris  
Associate General Counsel

Enclosure

c: Division of the Commission Clerk  
and Administrative Services

060172 AdoptLetter.ldh.doc

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OFFICE OF THE GENERAL COUNSEL  
STATE OF FLORIDA  
JAN 03 2007