

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL INTERESTED PERSONS

UNDOCKETED

IN RE: Rule 25-12.005, F.A.C., CODES AND STANDARDS ADOPTED


ISSUED: October 19, 2018

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to amend Rule 25-12.005, Florida Administrative Code, to incorporate by reference the 2018 edition of Title 49 CFR Parts 191, 192, and 199.

The attached Notice of Development of Rulemaking appeared in the October 18, 2018, edition of the Florida Administrative Register. If requested in writing and not deemed unnecessary by the agency head, a rule development workshop will be scheduled and noticed in the next available Florida Administrative Register. Written requests for a rule development workshop must be submitted to Samantha Cibula, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, (850) 413-6202, scibula@psc.state.fl.us by November 8, 2018. A copy of the preliminary draft rule is attached.

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By DIRECTION of the Florida Public Service Commission this 19th day of October,
2018.



CARLOTTA S. STAUFFER
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.

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Notice of Development of Rulemaking

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE
25-12.005 Codes and Standards Adopted

PURPOSE AND EFFECT: To incorporate by reference the 2018 edition of 49 CFR Parts 191, 192 and 199.
Undocketed.

SUBJECT AREA TO BE ADDRESSED: Gas safety-related condition reports, minimum safety requirements for transportation of gas, and drug and alcohol testing for gas transportation operators.

RULEMAKING AUTHORITY: 368.03, 368.05(2), 350.127(2), FS.

LAW IMPLEMENTED: 368.03, 368.05, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Samantha Cibula, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6202, scibula@psc.state.fl.us.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

1 **25-12.005 Codes and Standards Adopted.**

2 The Minimum Federal Safety Standards and reporting requirements for pipeline facilities and
3 transportation of gas prescribed by the Pipeline and Hazardous Materials Safety
4 Administration in 49 C.F.R. 191 and 192 (2018) ~~(2017)~~, are adopted and incorporated by
5 reference as part of these rules. 49 C.F.R. 191 (2018) ~~(2017)~~ may be accessed at [insert
6 hyperlink] <http://www.flrules.org/Gateway/reference.asp?No=Ref-07920>. 49 C.F.R. 192
7 (2018) ~~(2017)~~ may be accessed at [insert hyperlink]
8 <http://www.flrules.org/Gateway/reference.asp?No=Ref-07923>. 49 C.F.R. 199 (2018) ~~(2017)~~,
9 “Drug and Alcohol Testing,” is adopted and incorporated by reference to control drug use, by
10 setting standards and requirements to apply to the testing and use of all emergency response
11 personnel under the direct authority or control of a gas utility or pipeline operator, as well as
12 all employees directly or indirectly employed by gas pipeline operators for the purpose of
13 operation and maintenance and all employees directly or indirectly employed by intrastate gas
14 distribution utilities for onsite construction of natural gas transporting pipeline facilities. 49
15 C.F.R. 199 (2018) ~~(2017)~~ may be accessed at [insert hyperlink]
16 <http://www.flrules.org/Gateway/reference.asp?No=Ref-07924>. Part 199 also is adopted to
17 prescribe standards for use of employees who do not meet the requirements of the regulations.
18 *Rulemaking Authority 368.03, 368.05(2), 350.127(2) FS. Law Implemented 368.03, 368.05*
19 *FS. History—New 11-14-70, Amended 9-24-71, 9-21-74, 10-7-75, 11-30-82, 10-2-84, Formerly*
20 *25-12.05, Amended 8-8-89, 1-7-92, 5-13-99, 4-26-01, 12-15-09, 10-11-12, 3-2-17, _____.*

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