

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-4.036,
F.A.C., Design and Construction of Plant, and
Rule 25-24.515, F.A.C., Pay Telephone
Service.

DOCKET NO. 070303-TP
ORDER NO. PSC-07-0539-NOR-TP
ISSUED: June 28, 2007

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
MATTHEW M. CARTER II
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

NOTICE OF RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has voted to propose the amendment of Rules 25-4.036 and 25-24.515, Florida Administrative Code, to reflect the most current edition of the National Electrical Safety Code. As Rule 25-4.036 is incorporated by reference into Rules 25-24.585, 25-24.740, and 25-24.835, Florida Administrative Code, the proposed rule amendments, in addition to affecting incumbent local exchange companies and pay telephone service providers, also affect shared tenant service companies, alternative access vendor service companies, and competitive local exchange companies.

The attached Notices of Proposed Rulemaking will appear in the July 6, 2007 edition of the Florida Administrative Weekly. If timely requested, a hearing will be held at a time and place announced in a future notice. Written requests for hearing and written comments or suggestions on the rules must be received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than July 27, 2007.

By ORDER of the Florida Public Service Commission this 28th day of June, 2007.



ANN COLE
Commission Clerk

(S E A L)

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DOCUMENT NUMBER - DATE

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FPSC-COMMISSION CLERK

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-4.036: Design and Construction of Plant

PURPOSE AND EFFECT: To amend the rule to reference the most recent edition of the National Electrical Safety Code. As Rule 25-4.036 is incorporated by reference into Rules 25-24.585, 25-24.740 and 25-24.835, F.A.C., the proposed amendments, in addition to incumbent local exchange carriers, also affect shared tenant service companies, alternative access vendor service companies and competitive local exchange companies. Docket No. 070303-TP.

SUMMARY: Rule 25-4.036 requires that the plant and facilities of regulated companies be designed, constructed, installed, maintained, and operated in accordance with the provisions of the National Electrical Safety Code. The proposed amendments would update the rule to reflect the 2007 edition of the Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rule amendment should not significantly impact the agency, the industry, cities, counties, or small businesses.

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.

SPECIFIC AUTHORITY: 350.127(2) FS

LAW IMPLEMENTED: 364.01(4), 364.03, 364.15 FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850 (850) 413-6216.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.036 Design and Construction of Plant.

(1) The plant and facilities of the utility shall be designed, constructed, installed, maintained and operated in accordance with provisions of the National Electrical Safety Code (IEEE C2-2002 2007) and the National Electrical Code (NFPA 70-2005), which is incorporated herein by reference, pertaining to the construction of telecommunications facilities.

(2) Compliance with these codes and accepted good practice is necessary to insure as far as reasonably possible continuity of service, uniformity in the quality of service furnished and the safety of persons and property. Specific Authority 350.127(2) FS.

Law Implemented 364.01(4), 364.03, 364.15 FS.

History—Revised 12-1-68, Amended 4-19-77, Formerly 25-4.36, Amended 2-5-86, 3-26-91, 5-3-94, 12-23-02, 12-29-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Paul Vickery

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 33, Number 11, March 16, 2007

Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-24.515: Pay Telephone Service

PURPOSE AND EFFECT: To amend the rule to reference the most recent edition of the National Electrical Safety Code. Docket No. 070303-TP.

SUMMARY: Rule 25-24.515 requires that the plant and facilities of regulated companies be designed, constructed, installed, maintained, and operated in accordance with the provisions of the National Electrical Safety Code. The proposed amendments would update the rule to reflect the 2007 edition of the Code.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rule amendment should not significantly impact the agency, the industry, cities, counties, or small businesses.

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.

SPECIFIC AUTHORITY: 350.127(2), FS

LAW IMPLEMENTED: 364.03, 364.035, 364.063, 364.337, 364.3375, 364.345, 364.15 FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6216.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.515 Pay Telephone Service.

(1) – (22) No Change.

(23) Pay telephone facilities shall be designed, constructed, installed, maintained and operated in accordance with provisions of the National Electrical Safety Code (~~IEEE C2-2002~~ 2007) and the National Electrical Code (NEPA 70-2005), which are incorporated by reference.

Specific Authority 350.127(2) FS.

Law Implemented 364.03, 364.035, 364.063, 364.337, 364.3375, 364.345, 364.15 FS.

History–New 1-5-87, Amended 4-14-92, 12-21-92, 2-3-93, 10-10-94, 12-27-94, 9-5-95, 2-1-99, 12-23-02, 4-5-05, 12-29-05.

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