RAILROAD COMMISSION OF TEXAS
GAS SERVICES DIVISION

GAS UTILITIES
INFORMATION BULLETIN

No. 712

RAILROAD COMMISSION
OF TEXAS

Michael L. Williams, Chairman
Charles R. Matthews, Commissioner
Tony Garza, Commissioner

Steve Pitner
Director
Gas Services Division

November 25, 2002

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Agreed Order on Remand for GUD No. 8646 – Application of Entex, A Division of Noram Energy, for a Stipulation and Request for a Declaratory Order with Regard to the Rates in the Environs of Marshall, Harrison County, Texas.

SECTION 1
NEW APPEALS AND APPLICATIONS FILED

DOCKET NO. -- 9345
CAPTION -- Statement of Intent filed by Centerpoint Energy Arkla to change rates in the environs of the Texarkana service area.
DATE FILED -- 11/19/2002
FILED BY -- Robert M. Blunt IV
EXAMINER --

DOCKET NO. -- 9346
CAPTION -- Application of Oneok WesTex Transmission, L.P. for review of the sale of facilities to WTG Gas Transmission Company.
DATE FILED -- 10/07/2002
FILED BY -- C. David Crisp
EXAMER -- Mark Brock

DOCKET NO. -- 9347
CAPTION -- Application of Oneok WesTex Transmission, L.P. for review of the sale of facilities to Amarillo Natural Gas, Inc.
DATE FILED -- 10/07/2002
FILED BY -- C. David Crisp
EXAMER -- Mark Brock

CASES REFERRED TO SOAH

DOCKET NO. -- 9291
CAPTION -- Request of Texas General Land Office for immediate action to stay abandonment and for establishment of transportation rate on Panther Pipeline, LTD.
DATE REFERRED TO SOAH -- 06/28/2002
SOAH DOCKET NO. -- 455-02-3446
SOAH ALJ -- Wendy Harvel

DOCKET NO. -- 9313
CAPTION -- Petition for review of TXU Gas Distribution from the actions of the City of Arlington, et al.
DATE REFERRED TO SOAH -- 08/21/2002
SOAH DOCKET NO. -- 455-02-4058
SOAH ALJ -- Kerry Sullivan

SECTION 2
APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING CONFERENCE

None at this time.

SECTION 3
STATUS OF PENDING CASES

DOCKET NO. -- 9245
CAPTION -- Formal Petition and Complaint of Rates Charged by Gulf Coast Pipeline Company
DATE OF ACTION -- November 21, 2002
STATUS -- Order Extending Time to Rule on Motion for Rehearing (January 13, 2003.)

DOCKET NO. -- 9342
CAPTION -- Statement of Intent Filed by Southern Union Gas Company to Increase Rates in the Environs of the City of El Paso, Tx.
DATE OF ACTION -- 11/21/2002
STATUS -- Suspension Order

DOCKET NO. -- 9343
CAPTION -- Statement of Intent Filed by Southern Union Gas Company to Implement Proposed Revisions to Each of the Company's Transportation Rate Schedules, and to the Cost of Gas Clause Within the Environs of the Company's Central Texas Service Area (Austin, Westlake Hills, Rollingwood, Sunset Valley and Cedar Park, Tx.
DATE OF ACTION -- 11/21/2002
STATUS -- Suspension Order

SECTION 4
NOTICES OF DISMISSAL

None at this time.

SECTION 5
ORDERS OF THE COMMISSION

APPLICATION OF ENTEX, A DIVISION OF NORAM ENERGY, FOR A STIPULATION AND REQUEST FOR A DECLARATORY ORDER WITH REGARD TO THE RATES IN THE ENVIRONS OF MARSHALL, HARRISON COUNTY, TEXAS	§ § § § § § §	**GAS UTILITIES DOCKET NO. 8646**

AGREED ORDER ON REMAND

Notice of Open Meeting to consider this Order was duly posted with the Secretary of State within the time provided by law pursuant to TEX. GOV'T CODE ANN. Chapter 551 (Vernon 1994 and Vernon Supp. 2002).

On June 22, 1999, the Commission issued its final order in this docket. Entex subsequently filed a suit for judicial review of the Commission's final order, which was ultimately considered on appeal by the Third District Court of Appeals. On May 11, 2000, the Court of Appeals issued its opinion and judgment reversing the Commission's order and remanding the case to the Commission for entry of an order consistent with the Court of Appeals' ruling.

After due consideration of the opinion and judgment of the Court of Appeals, the Commission finds that it is necessary to issue a new order on remand in this docket to implement the rulings of the Court of Appeals. The Railroad Commission of Texas adopts the following findings of fact and conclusions of law and orders as follows:

FINDINGS OF FACT

1. On or about October 12, 1993, Entex, a division of Noram Energy, Inc. (Entex) purchased a distribution system in the environs of Marshall, Texas, from East Texas Industrial Gas (ETIG).

2. Immediately upon purchase of the distribution system, Entex began charging the former ETIG customers the rates for service established by the Commission in GUD No. 8187, *Statement of Intent filed by Entex, Inc., to change residential and commercial rates in the environs of the City of Marshall, Texas*.

3. Between June of 1994 and October of 1995, Railroad Commission Staff and Entex engaged in informal discussions in an effort to resolve issues concerning the appropriate rates to be charged to the former ETIG customers. Entex had determined that it was only authorized to charge the rates approved in GUD No. 8187 to Marshall environs customers; however, Staff concluded that Entex should have charged the rates for service established by the Commission in GUD No. 4001, *Statement of Intent Filed by East Texas Industrial Gas Company to change Residential and Commercial rates in Harrison County, Texas*, as those rates had been approved for service to the ETIG customers. Staff and Entex were unable to agree as to the proper rates to be charged.

4. Entex and Staff stipulated to all relevant facts involved in their dispute by letter dated June 20, 1996, and requested that the Commission resolve the matter by examination of these stipulated facts in conjunction with briefing submitted by the parties.

5. On June 22, 1999, the Commission issued its initial final order in this case, "Order Granting Motion for Rehearing" (June 22nd order).

6. The Commission's June 22nd order determined that Entex could only charge the former ETIG customers the rates approved in GUD No. 4001 until such time as Entex filed a statement of intent and conducted a rate case for purposes of establishing new rates to be charged to the former ETIG customers.

7. Based on its ruling, the Commission ordered Entex to refund any collections in excess of the GUD No. 4001 rates, plus interest, and to change rates prospectively so that the former ETIG customers would be charged GUD No. 4001 rates on a going-forward basis.

8. Pursuant to the Commission's June 22nd Order, Entex began charging the former ETIG customers the rates established in GUD No. 4001.

9. Pursuant to the Commission's June 22nd Order, Entex mailed refund checks totaling $36,614 to the former ETIG customers in December of 1999.

10. Entex filed a suit for judicial review of the Commission's June 22nd order with the Travis County District Court, which affirmed the Commission's order. Entex then appealed the final judgment of the Travis County District Court to the Third District Court of Appeals.

11. By opinion and judgment issued May 11, 2000, the Third District Court of Appeals reversed the Commission's June 22nd order. The Court of Appeals concluded: 1) the filed rate doctrine required Entex to charge only its authorized rates established in GUD No. 8187 to the former ETIG customers and prohibits it from charging any other rates; 2) charging the former ETIG customers rates different than those of other Marshall environs customers would be unlawful discrimination; 3) since Entex charged its existing Commission-approved rates to new customers, the requirements in GURA for the filing of a statement of intent to increase rates was not applicable because Entex did not increase its rates; and 4) the former ETIG customers did not have an implied contract to be continually charged the ETIG rates after ETIG sold its distribution assets to Entex.

12. Based on these rulings, the Third Court of Appeals ordered that the case be remanded to the Commission "for entry of an order consistent with this holding."

13. Entex contends that complete consistency with the Court of Appeals' opinion and judgment would require the following:

a. a prospective change in rates to the former ETIG customers to restore Entex's existing environs rates;

b. imposition by Entex of a surcharge sufficient to cover the time period during which Entex was erroneously required to charge the ETIG rates to the former ETIG customers; and

c. imposition of a surcharge by Entex to recover the refunds it made to the former ETIG customers pursuant to the Commission's order.

14. Due to its desire to avoid undue burden on the former ETIG customers, Entex has agreed to forego any surcharge in this case and to limit its remedy on remand to a prospective change in rates from the date of this order.

CONCLUSIONS OF LAW

1. Entex is a gas utility as defined in TEX. UTIL. CODE ANN. §§101.003(7) and 121.001 (Vernon Supp. 2002) and is subject to the Commission=s jurisdiction under TEX. UTIL. CODE ANN. §§104.002 and 121.051 (Vernon 1998).

2. The Commission has exclusive original jurisdiction over this matter under TEX. UTIL. CODE ANN. §102.001(a)(1)(A) (Vernon Supp. 2002), §104.001 (Vernon 1998).

3. Pursuant to the opinion of the Court of Appeals in *Entex v. Railroad Comm'n of Texas*, 18 S.W.3d 858 (Tex. App. B Austin, 2000, pet. denied), the only rates applicable for Entex service to all customers within the Marshall environs, including the former ETIG system customers, are the rates set in GUD No. 8187, under TEX. UTIL. CODE ANN. §§ 104.102, 104.103 (Vernon 1998), and, furthermore, the "filed rate doctrine" prohibits Entex from charging the customers of the former ETIG system any rates other than those established in GUD Docket No. 8187.

IT IS THEREFORE ORDERED BY THE RAILROAD COMMISSION OF TEXAS, consistent with the findings and conclusions set out above and with the opinion and judgment of the Third District Court of Appeals, that from and after the date of this order Entex **SHALL** observe and charge the former ETIG customers only Entex's existing filed rates for gas utility service within the Marshall environs.

IT IS FURTHER ORDERED that Entex **SHALL**, for all bills rendered from and after the date of this order, charge the former ETIG customers the rates established in GUD Docket No. 8187, including the purchased gas adjustment clause established in such docket.

IT IS FURTHER ORDERED THAT all proposed Findings of Fact and Conclusions of Law not specifically adopted herein are **DENIED.**

SIGNED this 13th day of November, 2002.

RAILROAD COMMISSION OF TEXAS

/s/_____
CHAIRMAN MICHAEL L. WILLIAMS

/s/_____
COMMISSIONER CHARLES R. MATTHEWS

/s/_____
COMMISSIONER TONY GARZA

ATTEST:

/s/Kim Williamson_____
SECRETARY

SECTION 6
MISCELLANEOUS

STEVE PITNER, GAS SERVICES DIVISION DIRECTOR

1. OFFICE OF THE DIRECTOR

A. Publications

1. Texas Utilities Code Titles 3 and 4. Special Rules of Practice and Procedure and Substantive Rules - $15.00

2. a. Annual Report for Fiscal Year 2001 – Now available via the Commission's website at:

   http://www.rrc.state.tx.us/divisions/gs/tablecontents01.html

   a. Annual Report for Fiscal Year 2000 - $17.00 (includes statistical data for 1999)

   b. Annual Report for Fiscal Year 1999 - $9.00 (includes statistical data for 1998)

   c. Annual Report for Fiscal Year 1998 - $7.00 (includes statistical data for 1997)

3. **2002 Pipeline Safety Rules - $13.00, includes: 49 CFR 191 & 192 and 16 TAC Sections 7.70-7.74 (gas) 49 CFR 193 (LNG); 49 CFR 195 and 16 TAC Sections 7.80-7.87 (hazardous liquids); 49 CFR 40 and 199 (drug testing).**

4. Distribution and/or Gas Transmission Review forms for Adequacy of Operation, Maintenance and Emergency Manual - To obtain a copy of review forms at no charge, send a request with a self addressed envelope (10" x 13"preferably) with $0.98 postage.

5. Six MCF Monthly Residential Gas Bill Analysis for Twenty-five Texas Cities - $2.00 – Now available via the Commission's website at: http://www.rrc.state.tx.us/divisions/gs/rap/sixmcf.html

Anyone who wishes to obtain a copy of any of the publications or maps listed in Section A should contact the Gas Services Division, P. O. Box 12967, Austin, Texas 78711-2967, (512) 463-7167.

B. Interest Rate on Customer Deposits

We have been advised by the Public Utility Commission that the interest rate to be applied to customer deposits in calendar year 2002 is 6.00%. All gas utilities should use this rate.

2. PIPELINE SAFETY SECTION

A. Austin Headquarters - William B. Travis Building
1701 North Congress, (78701)
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Austin, Texas 78711-2967 Telephone (512) 463-7058

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Don Gault, Area Supervisor
Steven Rios, Engineering Specialist
Jesse Cantu, Jr., Engineering Specialist
Ronda Lauderman, Engineering Assistant

B. Monthly Summary (September)

No. of distribution safety evaluations – 75
No. of transmission safety evaluations - 38
No. of liquid safety evaluations - 19
No. of leak/calls - 49
No. of accident investigations - 2
No. of special investigations - 32

C. Reporting of Pipeline Accidents

1) NATURAL GAS

Accidents on intrastate gas systems involving $5,000 property damage, a fatality or injuries, gas ignition, or that are judged significant must be reported by telephone within two hours, and the written report filed within thirty (30) days. Call the 24-hour emergency phone number (512)463-6788 to report an accident. For your convenience this priority phone line is used only to report emergencies.

2) HAZARDOUS LIQUIDS

Accidents on intrastate hazardous liquid pipelines reportable under 49 CFR Sections 195.50 and 195.52 and 16 TAC Section 7.84(a) must be reported by telephone within two hours and the required written report filed within thirty (30) days. Call the 24-hour emergency phone number (512)463-6788 to report an accident. For your convenience this priority phone line is used only to report emergencies.

Rules and Regulations:

[Federal Register: November 13, 2002 (Volume 67, Number 219)]
[Proposed Rules]
[Page 68815-68827]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr13no02-20]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket No. RSPA-02-13208; Notice 1]
RIN 2137-AD01

Pipeline Safety: Further Regulatory Review; Gas Pipeline Safety Standards

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: RSPA is proposing to change some of the safety standards for gas pipelines. The changes are based on recommendations by the National Association of Pipeline Safety Representatives (NAPSR) and a review of the recommendations by the State Industry Regulatory Review Committee (SIRRC). We believe the changes will improve the clarity and effectiveness of the present standards.

DATES: Persons interested in submitting written comments on the rules proposed in this notice must do so by January 13, 2003. Late filed comments will be considered so far as practicable.

ADDRESSES: You may submit written comments by mailing or delivering an original and two copies to the Dockets Facility, U.S. Department of Transportation, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. The Dockets Facility is open from 10 a.m. to 5 p.m., Monday through Friday, except on Federal holidays when the facility is closed. Or you may submit written comments to the docket electronically at the following Web address: http://dms.dot.gov. See the SUPPLEMENTARY INFORMATION section for additional filing information.

FOR FURTHER INFORMATION CONTACT: L.M. Furrow by phone at 202-366-4559, by fax at 202-366-4566, by mail at U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, or by e-mail at buck.furrow@rspa.dot.gov.

SUPPLEMENTARY INFORMATION:

Filing Information, Electronic Access, and General Program Information

All written comments should identify the docket and notice numbers stated in the heading of this notice. Anyone who wants confirmation of mailed comments must include a self-addressed stamped postcard. To file written comments electronically, after

logging on to http://dms.dot.gov, click on ``ES Submit." You can also read comments and other material in the docket at http://dms.dot.gov. General information about our pipeline safety program is available at http://ops.dot.gov.

Background

NAPSR is a non-profit association of officials from State agencies that participate with RSPA in the Federal pipeline safety regulatory program. Each year NAPSR holds regional meetings to discuss safety and administrative issues, culminating in resolutions for program improvement.

In 1990 we asked NAPSR to review the gas pipeline safety standards in 49 CFR part 192. The purpose of the review was to identify standards that NAPSR considered insufficient for safety or not clear enough to enforce. NAPSR compiled the results of its review in a report titled ``Report on Recommendations For Revision of 49 CFR part 192," dated November 20, 1992. The report, a copy of which is in the docket of he present proceeding, recommends changes to 40 sections in part 192. By the time NAPSR completed its report, we had published a notice of proposed rulemaking to change many part 192 standards that we considered unclear or overly burdensome (Docket PS-124; 57 FR 39572; Aug. 31, 1992). Because a few of NAPSR's recommendations related to standards we had proposed to change, we published the report for comment in the PS-124 proceeding (58 FR 59431; Nov. 9, 1993). The PS-124 Final Rule (61 FR 28770; June 6, 1996) included four of NAPSR's recommended rule changes, and we scheduled the remaining recommendations for future consideration. Later, at a meeting on corrosion problems held in San Antonio, Texas on April 28, 1999, we opened NAPSR's recommendations on corrosion control to further public discussion (Docket RSPA-97-2762; 64 FR 16885; April 7, 1999). In PS-124 we received 79 comments on NAPSR's recommendations, primarily from pipeline trade associations, pipeline operators, and State pipeline safety agencies. Industry commenters generally opposed most of NAPSR's recommendations on grounds that standards would be changed not for safety reasons or clarity but to make compliance auditing easier. In contrast, the State agencies generally supported NAPSR's recommendations. NAPSR denied it was merely trying to simplify the auditing process, and said its experience provided a unique perspective on which standards are ineffective or inappropriate.

Because industry and State views were so divergent, in October 1997, the American Gas Association (AGA), the American Public Gas Association (APGA), and NAPSR formed SIRRC to iron out their differences over the recommendations. SIRRC agreed on all but eight of the recommendations scheduled for future consideration. A copy of SIRRC's report titled ``Summary Report," dated April 26, 1999, is in the docket of the present proceeding.

We have completed our review of NAPSR's 1992 recommendations as updated by SIRRC's 1999 Summary Report. The review also covered a NAPSR resolution on the definition of ``service line." Although this resolution was not in NAPSR's 1992 report, SIRRC dealt with the resolution in it's Summary Report.

The purpose of the review was to decide which, if any, of NAPSR's recommendations warrant inclusion in a notice of proposed rulemaking. If SIRRC agreed to modify a recommendation, our review focused on that modification. If SIRRC did not reach agreement, we focused on NAPSR's recommendation in light of SIRRC's discussion. Our responses to the recommendations are discussed in the next section of the preamble.

Disposition of NAPSR's Recommendations

This section summarizes NAPSR's recommendations and SIRRC's consideration of those recommendations. It also states our responses to the recommendations. For ease of reference, we have numbered the recommendations according to their sequence in SIRRC's Summary Report. The following table categorizes the recommendations according to the rulemaking status indicated by our responses:

Recommendation No.	Rulemaking status
7, 15, 17, 20, and 26	Included in previous final rule actions.
8, 9, 30	Proposed in ``Periodic Updates to Pipeline Safety Regulations (1999)" (Docket RSPA-99-6106; 56 FR 15290; Mar. 22, 2000).

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2, 5, 6, 11, 12, 13, 14, 29 (in part), Proposed in present action. 31, 32, 35 18, 24, 25, 28, 33 (in Alternative proposed in part) and 34 (in part). present action.1, 3, 4, 10, 16, 19, 21, 22, 23, 27, 29 No rulemaking action. (in part), 33 (in part), and 34 (in part).

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1. Section 192.3, Definitions of Main and Transmission Line. (SIRRC Summary Report, p. 3)

Recommendation. To help distinguish mains from transmission lines, revise the definition of ``main'' and the first paragraph of the definition of ``transmission line'' to read: [sbull] ``Main'' means a pipeline installed in a community to convey gas to individual service lines or to other mains. [sbull] ``Transmission line'' means a pipeline, or a series of pipelines, other than a gathering line, that: (a) Transports gas from a gathering line, storage field or another transmission line to a storage field or to one or more distribution systems or other load centers. SIRRC. The committee reached consensus to modify the recommendation as follows:

[sbull] ``Main'' means a segment of pipeline in a distribution system installed to transport gas to individual service lines or other mains.

[sbull] In the present definition of ``transmission line,'' change ``distribution center'' to ``distribution system'' to eliminate the only use of this undefined term in Part 192.

Response: Part 192 defines ``distribution line'' but not ``distribution system.'' So substituting ``distribution system'' for ``distribution line'' in the present ``main'' definition and for ``distribution center'' in the present ``transmission line'' definition would not necessarily add clarity to either definition. Also, by referring to ``mains,'' SIRRC's definition of ``main'' loops back on itself. Therefore, we are not proposing to adopt the SIRRC's suggestion.

2. Section 192.3, Definitions of Service Line and Service Regulator. (SIRRC Summary Report, p. 6)

Recommendation. Adopt the following new and amended definitions to bring Part 192 in line with acceptable arrangements of service lines:

[sbull] ``Customer meter'' means the meter that measures the transfer of gas from an operator to a consumer.

[sbull] ``Service line'' means a distribution line that transports gas from a common source of supply to an individual customer, two adjacent or adjoining residential or small commercial customers, or to an aboveground meter header supplying up to ten residential or small commercial customer meters. A service line terminates at the outlet of the customer meter or at the connection to a customer's piping, whichever is further downstream, or at the connection to customer piping if there is no meter.

[sbull] ``Service regulator'' means the device on a service line which controls the pressure of gas delivered from a high pressure distribution system to the level at which it is provided to the customer. A service regulator may serve one customer meter, or up to ten customer meters grouped on an aboveground meter header.

SIRRC. The committee suggested modification of the definitions as follows:

[sbull] ``Customer meter'' means the meter that measures the transfer of gas from an operator to a consumer.

[sbull] ``Service line'' means a distribution line that transports gas from a common source of supply to an individual customer, to two adjacent or adjoining residential or small commercial customers, or to multiple residential or small commercial customers served through a meter header or manifold. A service line terminates at the outlet of the customer meter or at the connection to a customer's piping, whichever is further downstream, or at the connection to customer piping if there is no meter.

[sbull] ``Service regulator'' means the device on a service line which controls the pressure of gas delivered from a higher pressure to the pressure provided to the customer. A service regulator may serve one customer, or multiple customers through a meter header or manifold. Response. Although Sec. 192.3 already defines the term ``customer meter,'' the definition of this term is included in the definition of ``service line.'' SIRRC's suggestion would merely move the ``customer meter'' definition to an alphabetical position in Sec. 192.3. Since ``customer meter'' is used in part 192 in places other than the ``service line'' definition, we agree that an alphabetical position is preferable. So we are proposing to amend Sec. 192.3 as SIRRC suggested.

Under the part 192 definitions of ``service line'' and ``main,'' if an operator runs a single line from main to supply gas to two customers, the single line is itself a main because it is a common source of supply for more than one service line.\1\ Typically such single-line installations serve two or more adjacent single-family residences through branch lines connected to the single line. They also serve apartment buildings and shopping centers through meter manifolds, or meter headers.

\1\ Section 192.3 defines ``service line" as ``a distribution line that transports gas from a common source of supply to (1) a customer meter or the connection to a customer's piping, whichever is farther downstream, or (2) the connection to a customer's piping if there is no customer meter." In addition, ``main" is defined as ``a distribution line that serves as a common source of supply for more than one service line."

Because these single lines are more like service lines than mains--their size is small, their pressure is low, and they are located on private property rather than under a public street or alley--many State pipeline safety agencies have granted waivers for the lines, permitting operators to treat them as service lines. Consequently, under most State waivers, the single lines may be designed, installed, operated, and maintained as service lines. They do not have to meet any part 192 standard that applies strictly to mains. For example, Sec. 192.327(b) requires a minimum burial depth for mains (24 in) that is greater than the depth Sec. 192.361 requires for service lines (12 or 18 in). Single-line installations serving adjacent customers may also increase safety by minimizing connections to mains. These connections are susceptible to leaks and damage accidentally caused by street excavation activities.

Since SIRRC's suggested definition of ``service line" is consistent with State waivers we considered appropriate, we are proposing to amend Sec. 192.3 by revising the definition of ``service line" as SIRRC suggested. Note, however, that the proposed definition uses the general term ``meter manifold" instead of ``meter header or manifold." If adopted as final, the proposed definition would eliminate the need for similar waivers in the future. We are also proposing to adopt SIRRC's suggested definition of ``service regulator." SIRRC's definition is

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consistent with state waivers that distinguish regulators connected to customer meter manifolds from regulating stations that must be inspected under Sec. 192.739.

We are particularly interested in receiving comments on how the term ``small commercial customers" might be stated differently or defined to minimize potential confusion in identifying the customers involved. Would it be appropriate to consider a ``small commercial customer" as a business that receives volumes of gas similar to the volumes that a residential customer receives?

3. Section 192.55(a)(2), Steel Pipe. (SIRRC Summary Report, p. 8)

Recommendation. Delete Sec. 192.55(a)(2)(ii), which provides requirements for the use of new steel pipe manufactured before November 12, 1970.

SIRRC. The committee suggested that Sec. 192.55(a)(2)(ii) should not be deleted.

Response. Although NAPSR initially thought Sec. 192.55(a)(2)(ii) was obsolete, several PS-124 commenters said the section should remain because operators have stockpiles of steel pipe manufactured before 1970. The SIRRC Summary Report indicates operators continue to stock such pipe. We concur with SIRRC that Sec. 192.55(a)(2)(ii) should not be removed.

4. Section 192.65, Transportation of Pipe. (SIRRC Summary Report, p. 9)

Recommendation. Delete Sec. 192.65(b), which provides requirements for the use of certain steel pipe transported by railroad before November 12, 1970.

SIRRC. The committee agreed that Sec. 192.65(b) should not be deleted.

Response. Although NAPSR initially thought Sec. 192.55(b) was obsolete, several PS-124 commenters said they had stockpiled pipe manufactured before 1970. In addition, the SIRRC Summary Report indicates that operators still have this pipe and that it may have been transported by railroad. We concur with the SIRRC's suggestion.

5. Section 192.123, Design Limitations for Plastic Pipe. (SIRRC Summary Report p. 10)

Recommendation. Delete the second sentence of Sec. 192.123(b)(2)(i), which allows plastic pipe manufactured before May 18, 1978, and strength rated at 73 [deg]F to be used at temperatures up to 100 [deg]F. SIRRC. The committee agreed that the second sentence of Sec. 192.123(b)(2)(i) should be deleted.

Response. NAPSR thought the second sentence of Sec. 192.123(b)(2)(i) was obsolete. However, the PS-124 comments indicated that several utilities had inventories of plastic pipe manufactured before May 18, 1978, that they intended to use as replacement pipe. In contrast, the SIRRC Summary Report states that the committee members were unaware of any pre-1978 plastic pipe in operators' stocks.

Moreover, the committee members had reservations about using plastic pipe of that vintage.

Assuming the SIRRC Summary Report generally reflects the present status of operators' stocks of plastic pipe, we are proposing to delete the second sentence of Sec. 192.123(b)(2)(i) as obsolete. If this proposal were adopted as final, any stockpiled pre-1978 thermoplastic pipe whose long-term hydrostatic strength was determined at 73 [deg]F could not be used above that temperature. We are particularly interested in hearing from industry commenters whether they still have any stockpiles of this pipe that they plan to use at temperatures above 73 [deg]F.

6. Section 192.197(a), Control of the Pressure of Gas Delivered From High-pressure Distribution Systems. (SIRRC Summary Report, p. 11)

Recommendation. In Sec. 192.197(a), change ``under 60 psig'' to ``60 psig or less.''

SIRRC. The committee agreed that Sec. 192.197(a) should be changed as NAPSR recommended.

Response. Section 192.197(a) provides that in distribution systems operated ``under 60 psig (414 kPa) gage,'' if service regulators meet certain criteria, no other pressure limiting devices are required. However, Sec. 192.197(b) states that if those criteria are not met in systems operating at ``60 psig (414 kPa) gage, or less,'' additional pressure control is required. Thus there is a 1 psi discrepancy between these two sections. We agree with SIRRC that Sec. 192.197(a) should be in sync with Sec. 192.197(b), particularly since Sec. 192.197(c) applies to systems in which the operating pressure ``exceeds 60 psig (414 kPa) gage.'' Therefore, we are proposing to change Sec. 192.197(a) as NAPSR recommended.

7. Section 192.203(b)(2), Instrument, Control, and Sampling Pipe and Components. (SIRRC Summary Report, p. 12)

Recommendation. In Sec. 192.203(b)(2), change ``takeoff line'' to ``instrument, control, and sampling line'' to clarify the lines on which a shutoff valve must be installed.

SIRRC. The committee agreed the recommended change to Sec. 192.203(b)(2) is not needed.

Response. In Docket PS-124, we modified Sec. 192.203(b)(2) by excepting takeoff lines that can be isolated from sources of pressure by other valving. The SIRRC Summary Report indicates this exception resolved NAPSR's concern about Sec. 192.203(b)(2). Therefore, we are adopting the SIRRC consensus that the recommended rulemaking action is not needed.

8. Section 192.225(a), Welding: General. (SIRRC Summary Report, p. 13)

Recommendation. Change Sec. 192.225(a) to require qualification of welding procedures according to ``American Petroleum Institute (API), American Society of Mechanical Engineers (ASME), or other standards.''

SIRRC. The committee agreed the recommended change is needed. However, it suggested the term ``other standards'' should be changed to ``other accepted pipeline welding standards.''

Response. We proposed to adopt the core of NAPSR's recommendation in the proceeding called ``Periodic Updates to Pipeline Safety Regulations (1999)'' (56 FR 15290; Mar. 22, 2000). We proposed to amend Sec. 192.225(a)to require operators to qualify welding procedures under either Section 5 of API 1104, ``Welding of Pipelines and Related Facilities,'' or Section IX of the ASME Boiler and Pressure Vessel Code. However, our proposal did not include allowing the use of ``other accepted pipeline welding standards,'' as SIRRC suggested, because we are not aware of any other generally accepted pipeline welding standards.

9. Section 192.241(a), Inspection and Test of Welds. (SIRRC Summary Report, p. 14)

Recommendation. Change Sec. 192.241(a) to require that visual inspection of welding be conducted ``by an inspector qualified by appropriate training and experience.'' SIRRC. The committee agreed the recommended change is needed. However, it suggested the term ``inspector'' should be changed to ``person.''

Response. In the proceeding called ``Periodic Updates to Pipeline Safety Regulations (1999)'' (56 FR 15290; Mar. 22, 2000), we proposed to amend Sec. 192.241(a) as NAPSR recommended. Although we overlooked SIRRC's suggestion to use ``person'' instead of ``inspector,'' we will consider the suggestion in developing the final rule.

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10. Section 192.285(c) and (d), Plastic Pipe: Qualifying Persons to Make Joints. (SIRRC Summary Report, p. 15)

Recommendation. In Sec. 192.285, revise paragraph(c) to require that persons who join plastic pipe requalify annually to make joints.
Also, revise paragraph (d) to require that operators maintain certain records for use in monitoring personnel qualifications.
SIRRC. The committee did not agree that NAPSR's recommended rule changes were needed. However, the committee did agree that in Sec. 192.285(d) the term ``his'' should be replaced by a term that is not
gender-specific.
Response. NAPSR was concerned that while most newly installed distribution lines are made of plastic pipe, the qualification requirements for persons who join plastic pipe are less stringent than the qualification requirements for persons who weld steel pipe. NAPSR felt the plastic pipe joining and welder qualification requirements should be comparable because the consequences of failure of a plastic
pipe joint may be just as severe as the consequences of failure of a welded joint.
We do not believe NAPSR's reasoning is sufficient to justify stronger plastic pipe joining requirements. The skill needed for joining plastic pipe is so much simpler than the skill needed for welding steel pipe that the welding requirements cannot reasonably serve as a basis for establishing more stringent plastic pipe joining requirements. Therefore, we are not proposing to adopt NAPSR's recommended rule changes.
It is worth noting, though, that after SIRRC completed it's report, we published new qualification of personnel rules in Subpart N of Part 192. The competency evaluations required by these rules should enhance the qualifications of persons who make plastic pipe joints.
Section 192.285(d) now uses the term ``his.'' As SIRRC suggested, we are proposing to change this term to ``the operator's.''

11. Section 192.311, Repair of Plastic Pipe. (SIRRC Summary Report, p. 18)

Recommendation. Remove the requirement from Sec. 192.311 that a ``patching saddle'' must be used to repair harmful damage to new plastic pipelines if the damaged pipe is not removed.
SIRRC. The committee agreed the recommended change is needed.
Response. We concur with NAPSR that the meaning of ``patching saddle'' is unclear, although we have stated the term implies a plastic saddle adhered to pipe. Still, there are various means available to
effect safe repairs, and we do not think it's necessary to limit the method of repair. Section 192.703(b) would forbid the use of any method that would result in an unsafe condition. So we are proposing to amend
Sec. 192.311 as NAPSR recommended.

12. Section 192.321(e), Installation of Plastic Pipe; Sec. 192.361(g), Service Lines: Installation. (SIRRC Summary Report, p. 19)

Recommendation. To prevent underground plastic pipe from being damaged by electrically charged tracer wire and to maintain wire integrity, require separation between pipe and wire, where practical,
and require that tracer wire be protected against corrosion. SIRRC. The committee agreed to accept NAPSR's recommendation. It also agreed that Sec. 192.321, which applies to mains and transmission
lines, and Sec. 192.361, which applies to service lines, should be changed as follows:
[sbull] Revise Sec. 192.321(e) to read as follows: (e) Plastic pipe that is not encased must have an electrically conducting wire or other means of locating the pipe while it is underground. Tracer wire shall not be wrapped around the pipe and contact with the pipe shall be minimized. Tracer wire or other metallic
elements installed for pipe locating purposes shall be resistant to corrosion damage, either by use of coated copper wire or by other means.
[sbull] Establish Sec. 192.361(g) to match proposed Sec. 192.321(e).
Response. Although there have been only a few instances where highly charged tracer wire damaged buried plastic pipe, we believe separating wire from pipe wherever practical is a reasonable safeguard.
It is also reasonable that tracer wire or other metallic means of pipe locating be resistant to corrosion. Therefore, we are proposing to adopt SIRRC's consensus by revising Sec. 192.321(e) and adding Sec.
192.361(g) as set forth below in the proposed amendments section of this notice.
We recognize that continuous separation may not be ensured when wire and pipe are installed together in the same hole made by trenchless technology. In fact, in such cases the wire is often randomly taped to the pipe to control separation during installation. The proposed requirement to minimize contact with the pipe should not deter this common installation practice.

Note that part 192 does not now require that underground plastic service lines have a means for locating the lines. However, operators commonly use tracer wire for this purpose as they do under existing
Sec. 192.321(e) for locating underground plastic mains and transmission lines.

13. Section 192.353(a), Customer Meters and Regulators: Location. (SIRRC Summary Report, p. 21)

Recommendation. Amend Sec. 192.353(a) to emphasize that vehicular damage is a type of damage from which meters and service regulators must be protected.

SIRRC. Although the committee members agreed that the existing rule implicitly requires protection from vehicular damage, they did not agree on the need to emphasize this type of damage. Industry members
thought emphasizing vehicular damage would cause more disputes with government inspectors over what level of protection is needed.

Response. In enforcing Sec. 192.353(a), our position has been that the provision that meters and service regulators must be protected from ``corrosion and other damage'' requires reasonable protection from
vehicular damage where warranted. SIRRC's Summary Report supports this position. Furthermore, AGA's ``Guide for Gas Transmission and Distribution Piping Systems,'' which advises operators on compliance
with Part 192, recognizes this requirement. It states with regard to Sec. 192.353(a) that if the potential for vehicular damage is evident, the meter or service regulator should be protected or an alternate
location selected.

NAPSR reported that its members had found meter sets that were damaged by vehicles or were at serious risk of such damage. When this information is considered in light of the industry's apparent understanding of the present rule, it indicates some operators may have been lax in providing needed protection. Emphasizing vehicular damage in the present rule should at least cause operators to pay more
attention to the problem and perhaps reduce the risk of damage. So we are proposing to adopt NAPSR's recommendation by amending Sec. 192.353(a) to emphasize vehicular damage.

Although Sec. 192.353(a) affects design and does not apply to pipelines constructed before it went into effect, protection from vehicular damage is also a safety concern on earlier constructed pipelines. These pipelines, however, are subject to the general maintenance standard of Sec. 192.703(b), which requires operators to correct any pipeline that becomes unsafe. If the safety of a meter set is jeopardized by

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vehicular traffic, the operator would have to take action under Sec. 192.703(b) to correct the problem.

14. Section 192.457(b)(3), External Corrosion Control: Buried or Submerged Pipelines Installed Before August 1, 1971; 192.465(e), External Corrosion Control: Monitoring. (SIRRC Summary Report, p. 23)

Recommendation. Amend Sec. Sec. 192.457(b) and Sec. 192.465(e) to clarify the meaning of ``electrical survey'' and what circumstances make an electrical survey ``impractical.'' Also, require operators to consider all relevant information when using an alternative to an electrical survey.

SIRRC. The committee concluded that electrical surveys are seldom used on distribution systems, so there is no advantage to requiring electrical surveys as a preferred corrosion inspection method on
distribution systems. SIRRC further concluded that if electrical surveys are not used, all available information should be used to determine if active corrosion exists. The committee agreed that the
second sentence of Sec. 192.457(b), as it relates to distribution lines, and Sec. 192.465(e) should be changed to read as follows:

[sbull] Sec. 192.457(b):

The operator shall determine the areas of active corrosion by electrical survey or by analysis and review of the pipeline condition. Analysis and review shall include, but is not limited to, leak repair history, exposed pipe condition reports, and the pipeline environment. For the purpose of this section, an electrical survey is a series of closely spaced pipe-to-soil readings over a pipeline which are subsequently analyzed to identify any locations where a corrosive current is leaving the pipe.

[sbull] Sec. 192.465(e):

(i) For transmission pipelines, after the initial evaluation required by paragraphs (b) and (c) of Sec. 192.455 and paragraph (b) of Sec. 192.457, each operator shall, not less than every 3 years at intervals not exceeding 39 months, reevaluate its unprotected pipelines and cathodically protect them in accordance with this subpart in areas in which active corrosion is found. The operator shall determine the areas of active corrosion by electrical survey, or where an electrical survey is impractical, by analysis and review of the

pipeline condition. Analysis and review shall include, but is not limited to, leak repair history, exposed pipe condition reports, and the pipeline environment.

(ii) For distribution pipelines, after the initial evaluation required by paragraphs (b) and (c) of Sec. 192.455 and paragraph (b) of Sec. 192.457, each operator shall, not less than every 3 years at intervals not exceeding 39 months, reevaluate its unprotected pipelines and cathodically protect them in accordance with this subpart in areas in which active corrosion is found. The operator shall determine the areas of active corrosion by electrical survey or by analysis and review of the pipeline condition. Analysis and review shall include, but is not limited to, leak repair history, exposed pipe condition reports, and the pipeline environment.

(iii) For the purpose of this section, an electrical survey is a series of closely spaced pipe-to-soil readings over a pipeline which are subsequently analyzed to identify any locations where a corrosive current is leaving the pipe.

SIRRC also agreed that ``pipeline environment'' refers to whether soil resistivity is high or low, wet or dry, contains contaminants that may promote corrosion, or has any other known condition that might influence the probability of active corrosion.

Response. We recently revised the corrosion control regulations for hazardous liquid and carbon dioxide pipelines in 49 CFR part 195 (Docket RSPA-97-2762; 66 FR 66994; Dec. 27, 2001). In doing so, we relied on SIRRC's suggestion on monitoring unprotected gas transmission lines as a basis for revising the requirement to monitor unprotected pipe (see 49 CFR 195.573(b)). Because we believe SIRRC's approach is reasonable for both transmission and distribution lines, we are proposing to adopt the SIRRC suggestion on monitoring these lines by revising Sec. 192.465(e) as set forth below in the proposed amendments section of this notice. However, rather than change the second sentence of Sec. 192.457(b) as SIRRC suggested, we are proposing to delete the second sentence because we think it's unnecessary. This sentence, which is repeated in Sec. 192.465(e), is no longer needed in Sec. 192.457(b) because the time for completing the initial evaluation of the need for corrosion control required by Sec. 192.457(b) has expired. All subsequent evaluations are required by Sec. 192.465(e). Also, we are proposing to move the definition of ``active corrosion,'' now in Sec. 192.457(c), to Sec. 192.465(e).

15. Section 192.459, External Corrosion Control: Examination of Buried Pipeline When Exposed. (SIRRC Summary Report, p. 27)

Recommendation. Amend Sec. 192.459 to clarify that when an operator examines the exposed portion of a buried pipeline, the operator must determine the condition of the coating and keep a record of the condition under Sec. 192.491.

SIRRC. The committee agreed that records of coating condition are important in evaluating the overall condition of a pipeline, and that this information helps meet the continuing surveillance and active corrosion rules. The committee suggested that Sec. 192.459 be revised to read as follows:

Whenever an operator has knowledge that any portion of a buried pipeline is exposed, the exposed portion must be examined to determine the condition of the coating, or if the pipeline is bare or the coating is deteriorated, the exterior condition of the pipe. A record of the examination results shall be made in accordance with Sec. 192.491(c). If external corrosion is found, remedial action must be taken to the extent required by Sec. 192.483 and the applicable paragraphs of Sec. Sec. 192.485, 192.487, or 192.489.

Response. In light of NAPSR's recommendation and an earlier recommendation by the National Transportation Safety Board on inspecting exposed pipe, we revised Sec. 192.459 to require that operators determine the extent of any corrosion that is found on the exposed portion of a pipeline (64 FR 56981, Oct. 22, 1999). At a minimum, the present rule requires that operators inspect exposed pipelines to see if the coating on coated pipe has deteriorated. In addition, Sec. 192.491(c) requires a record of each inspection ``in sufficient detail to demonstrate the adequacy of corrosion control measures or that a corrosive condition does not exist.'' Thus we have essentially adopted the SIRRC consensus, because the combination of Sec. 192.459 and Sec. 192.491(c) adequately addresses the need to examine and record the condition of coating on exposed coated pipe.

16. Section 192.467(d), External Corrosion Control: Electrical Isolation (SIRRC Summary Report, p. 28)

Recommendation. Amend Sec. 192.467(d) to require annual electrical tests on casings to determine if there is contact with the encased pipe. Also, require remedial action according to Recommendation No. 19 if contact is found.

SIRRC. The committee did not reach agreement on the need to conduct annual tests for shorted casings, although consensus was reached on remedial action as discussed below regarding Recommendation No. 19. Industry's position on annual testing was that separate tests on casings are unnecessary as long as the pipe potential is above -850Mv.

NAPSR's position was that because a shorted

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casing shields encased pipe from protective current, the encased pipe can corrode regardless of the potential of pipe outside the casing. Response. A large majority of PS-124 commenters opposed NAPSR's recommendation on the ground that no correlation had been found between shorted casings and corrosion of the encased pipe. One commenter alleged that the purpose of Sec. 192.467(c), which requires isolation of gas pipe from casings, is to maintain protective current levels.

Also, several commenters addressed the shorted casing issue in response to our San Antonio meeting notice. Five persons said shorts should be cleared because using more protective current to offset the short could have adverse effects. Two other commenters said that clearing shorts can be costly if the line must be taken out of service or replaced, and that there is no consensus on the adequacy of other remedial measures. Another San Antonio commenter suggested the present electrical isolation requirement of Sec. 192.467(c) is not needed since cathodic protection has to meet the part 192 criteria for adequacy. In this regard, AGA's Gas Piping Technology Committee (GPTC) has submitted a rulemaking petition to rescind the requirement to isolate gas pipe from metallic casings, arguing there are no safety benefit from clearing shorted casings.

Considering the conflicting opinions on the need to clear shorted casings to prevent pipe corrosion, we have decided not to propose to adopt NAPSR's recommendation for annual testing. Instead we will consider the recommendation in a separate rulemaking proceeding called ``Pipeline Safety: Controlling Corrosion on Gas Pipelines'' (RIN 2137-AD63). In that proceeding, we will examine the need to change part 192 to improve the industry's corrosion control practices in light of new technology and the new requirements for hazardous liquid and carbon dioxide pipelines in 49 CFR part 195.

Deferring the recommendation also will give us time to gather more information on the shorted casing issue. We are particularly interested in receiving comments from anyone who has empirical data on the relation of shorted casings to pipe corrosion.

17. Section 192.475(c), Internal Corrosion Control: General. (SIRRC Summary Report, p. 29)

Recommendation. Amend Sec. 192.475(c) to express the permissible level of hydrogen sulfide in parts-per-million as well as grains. SIRRC. The committee agreed no further rulemaking action is needed.

Response. The PS-124 Final Rule included NAPSR's recommended change to Sec. 192.475(c).

18. Section 192.479, Atmospheric Corrosion Control: General. (SIRRC Summary Report, p. 30)

Recommendation. Require all aboveground pipelines exposed to the atmosphere to meet the same atmospheric corrosion control and remedial requirements, no matter when the pipeline was installed.

SIRRC. The resolution of the committee was that all exposed aboveground pipe should be subject to the same atmospheric protection standards. The committee agreed that Sec. 192.479 should be revised to read as follows, and explained that ``active corrosion'' does not include non-damaging corrosive films:

(a) Each aboveground pipeline or portion of a pipeline that is exposed to the atmosphere must be cleaned and either coated or jacketed with a material suitable for the prevention of atmospheric corrosion.

An operator need not comply with this paragraph, if the operator can demonstrate by test, investigation, or experience in the area of application that active corrosion does not exist.

(b) If active corrosion is found on an aboveground pipeline or portion of pipeline, the operator shall--

(1) take prompt remedial action consistent with the severity of the corrosion to the extent required by the applicable paragraphs of Sec. Sec. 192.485, 192.487, or 192.489; and

(2) clean and either coat or jacket the areas of atmospheric corrosion with a material suitable for the prevention of atmospheric corrosion.

Response. Section 192.479 prescribes atmospheric protection requirements according to the date of pipeline installation. Pipelines installed after July 31, 1971, must be entirely protected from atmospheric corrosion, except where the operator can demonstrate that a corrosive atmosphere does not exist. In contrast, pipelines installed before August 1, 1971, need only be protected where atmospheric corrosion has progressed to the point that remedial action is required under Sec. 192.485, Sec. 192.487, or Sec. 192.489. Periodic monitoring to determine the need for remedial action is required by Sec. 192.481.

As previously stated, we recently revised the corrosion control regulations in 49 CFR part 195 governing hazardous liquid and

carbon dioxide pipelines. The old rule on protection from atmospheric corrosion (Sec. 195.416(i)) required full protection of all pipelines exposed to the atmosphere, regardless of the date of installation. Based on San Antonio comments that the old rule was overly burdensome, we revised the rule to allow operators to avoid coating pipelines they demonstrate will have either a light surface oxide (a non-damaging corrosion film) or atmospheric corrosion that will not affect safe operation before the next scheduled inspection (Sec. 195.581).

We believe Sec. 195.581 is consistent with SIRRC's suggested change of Sec. 192.479. Section 195.581 requires the same level of protection for old and new pipelines. Also the exceptions for a light surface oxide and corrosion that will not need remedial action before the next scheduled inspection are equivalent to SIRRC's exception of non-active corrosion. One of our goals in revising the Part 195 corrosion control regulations was to establish similar corrosion control requirements for gas and liquid pipelines wherever appropriate.

Therefore, in keeping with this goal, we are proposing to use Sec. 195.581 instead of SIRRC's suggestion as the basis for changing Sec. 192.479. The existing standards for remedial action, Sec. Sec. 192.485, 192.487, and 192.489, will provide a benchmark for any demonstrations that protection is not required before the next inspection.

NAPSR did not recommend any change to the periodic monitoring requirements of Sec. 192.481. These requirements are comparable to the monitoring requirements for hazardous liquid and carbon dioxide pipelines under Sec. 195.583. Both sections require monitoring for atmospheric corrosion at least every 3 years for onshore pipelines and every year for offshore pipelines. And both sections require remedial action if harmful atmospheric corrosion is found. However, Sec. 195.583 specifies particular pipeline features, such as soil-to-air interfaces, that must be inspected, and specifies what remedial action to take. Although these differences are minor, we think the monitoring requirements for gas and hazardous liquid pipelines should be in accord. Therefore, we are proposing to amend Sec. 192.481 to comport with Sec. 195.583.

PS-124 commenters representing industry largely objected to NAPSR's recommendation to treat old and new pipelines alike. They feared they would have to fully protect all pre-August 1971 pipelines regardless of whether harmful corrosion was present. However, there is no basis for this concern under proposed Sec. 192.479. Operators would not have to protect any pre-1971 pipeline or portion of pipeline for

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which the operator demonstrates by test, investigation, or experience appropriate to the environment of the pipeline that corrosion will only be a light surface oxide or not affect safe operation before the next scheduled inspection. We believe this approach is consistent with the present rule.

19. Section 192.483(d), Remedial Measures: General. (SIRRC Summary Report, p. 32)

Recommendation. Specify what operators must do to protect carrier pipe when a shorted casing cannot be cleared.

SIRRC. The committee agreed that Sec. 192.483(d) should be established to read as follows:

(d) If it is determined that a casing is electrically shorted to a pipeline, the operator shall:

(1) Clear the short, if practical;

(2) Fill the casing with a corrosion inhibiting material;

(3) Monitor for leakage with leak detection equipment at least once each calendar year with intervals not exceeding 15 months; or

(4) Conduct an initial inspection with an internal inspection device capable of detecting external corrosion in a cased pipeline, and repeat at least every 5 years at intervals not exceeding 63 months.

Response. As stated above in response to Recommendation No. 16, there is conflicting information on the need to clear shorted casings. Therefore, we are not now proposing to adopt SIRRC's suggested options for dealing with shorted casings. Instead, as with Recommendation No. 16, we will consider this recommendation in a separate rulemaking proceeding called ``Pipeline Safety: Controlling Corrosion on Gas Pipelines" (RIN 2137-AD63).

20. Section 192.483(e), Remedial Measures: General. (SIRRC Summary Report, p. 34)

Recommendation. Amend Sec. 192.483 to refer to appropriate consensus standards that are to be used in determining the remaining strength of corroded pipe.

SIRRC. The committee agreed that further rulemaking action is not needed.

Response. The Final Rule in Docket PS-124 covered NAPSR's recommendation in an amendment to Sec. 192.485(c). Thus, we agree with SIRRC that further action is not needed.

21. Section 192.489(b), Remedial Measures: Cast Iron and Ductile Iron Pipe. (SIRRC Summary Report, p. 35)

Recommendation. Clarify that internal sealing of graphitized pipe is not a method of strengthening the pipe.

SIRRC. The committee agreed that the problem of graphitization should be addressed case-by-case rather than by changing Sec. 192.489 as NAPSR recommended.

Response. New technology may result in liners that strengthen as well as seal pipe. Therefore, we agree with SIRRC that Sec. 192.489(b) should not be changed as NAPSR recommended.

22. Sections 192.505(a) and 192.507, Test Requirements. (SIRRC Summary Report, p. 36)

Recommendation. Amend Sec. Sec. 192.505 and 192.507 to clarify that the test pressure must be high enough to substantiate the maximum allowable operating pressure (MAOP) under Sec. 192.619(a)(2)(ii).

SIRRC. The committee did not reach an agreement on this recommendation. NAPSR members contended some operators have not substantiated MAOP because Sec. Sec. 192.505 and 192.507 do not specify a minimum test pressure. On the other hand, industry members thought that because Sec. 192.503(a)(1) already requires that pressure tests substantiate MAOP under Sec. 192.619, there is no need to repeat the requirement in Sec. Sec. 192.505 and 192.507.

Response. We addressed this issue once before. In 1988 we amended Sec. 192.503(a)(1) specifically to indicate that Sec. 192.619 prescribes the minimum test pressure needed to substantiate MAOP (53 FR 1635). We think this earlier action adequately clarified the minimum test pressures, and no further action is needed.

23. Sections 192.509(b) and 192.511(b) and (c), Test Requirements. (SIRRC Summary Report, p. 37)

Recommendation. To establish consistent leak test pressures for mains and service lines, require that non-plastic service lines operated at less than 1 psig be tested to at least 10 psig. Also, require that each main and service line operated at 1 psig or more be tested to 90 psig or 1.5 times the intended operating pressure, whichever is higher.

SIRRC. The committee did not reach a consensus on this recommendation. Industry members were concerned that additional equipment would be needed to test above 90 psig, and that testing existing service lines at higher pressures (as when service is reinstated or connected to a new main) could cause failures. NAPSR countered that operators could use plastic pipe test equipment, and that a test failure indicates the line is unsafe.

Response. NAPSR felt the minimum leak test pressures prescribed by Sec. Sec. 192.509(b) and 192.511(b) and (c) for mains and service lines should be the same because mains and service lines are operated together. NAPSR also felt the resulting safety factors should not diminish as operating pressures increase, as they do under the present rules. Many PS-124 commenters, including some operators, agreed with NAPSR. However, AGA and other operators said there is no need to leak test steel mains and service lines operating at less than 100 psig at 1.5 times operating pressure. These commenters argued that the purpose of leak tests is not to assure the pipeline is unlikely to fail at operating pressure, but to verify that the pipeline does not leak.

The regulatory history does not explain why minimum leak test pressures under Sec. Sec. 192.509(b) and 192.511(b) and (c) are not consistent. Nevertheless, lack of consistency, by itself, does not justify additional or more stringent test requirements. A link between inconsistency and safety would be needed, and NAPSR did not establish such a link. Also, because only tests for leaks rather than pipeline integrity are at issue, we do not think safety factors are relevant to determining if the present leak test pressures are appropriate. Therefore, we are not proposing to adopt NAPSR's recommendation.

24. Section 192.517, Records. (SIRRC Summary Report, p. 39)

Recommendation. To aid compliance investigations, amend Sec. 192.517 to require that operators keep records of leak tests done under Sec. 192.509 for pipelines to operate below 100 psig, of leak tests done under Sec. 192.511 for service lines, and of leak tests done under Sec. 192.513 for plastic pipelines.

SIRRC. The committee disagreed about what information is needed in leak test records. Also, industry members were concerned that distribution operators would have to keep a very large volume of individual records of limited use.

Response. Section 192.517 requires operators to record certain information about pressure tests done under Sec. Sec. 192.505 and 192.507 to qualify steel pipelines to operate at 100 psig or more.

NAPSR recommended that we extend this requirement to other pipelines that are pressure tested for leaks. While a few PS-124 commenters supported the recommendation, most did not. Those who opposed the recommendation generally argued that since leak tests are not as significant as tests done under Sec. Sec. 192.505 and 192.507, it is unnecessary to maintain the same information about both types of tests.

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Without appropriate records, government inspection personnel have a difficult job of determining if required leak tests were indeed done. They may have to interview witnesses or draw inferences from related information. On the other hand, government's need for records must be weighed against the burden on operators to produce and maintain the records. By and large, PS-124 commenters and SIRRC industry members did not object to keeping records of leak tests. In fact, the SIRRC Summary Report states that keeping some type of leak test record is a common industry practice. It was the extent and volume of the records that SIRRC's industry members found objectionable.

In our view, NAPSR's recommended leak test records would be too burdensome, because the safety significance of leak tests is less than that of pressure tests done to establish the MAOP of pipelines operating above 100 psig. At the same time, it seems that industry's voluntary practices may satisfy the need for records to demonstrate compliance with leak test requirements. Therefore, while we are not proposing to adopt NAPSR's recommendation, we are proposing to amend Sec. 192.517 to require that operators maintain a record of each test required by Sec. Sec. 192.509, 192.511, and 192.513 for at least 5 years. This proposal should accommodate the industry's various voluntary recordkeeping practices, and allow time for government inspectors to view the records. The proposed rule would apply to leak tests done after the rule takes effect.

25. Section 192.553, Uprating: General Requirements; Sec. 192.557 Uprating: Steel Pipelines to a Pressure That Will Produce a Hoop Stress Less Than 30% of SMYS: Plastic, Cast Iron, and Ductile Iron Pipelines. (SIRRC Summary Report, P. 41)

Recommendation. Clarify that Sec. 192.557 does not allow MAOP to be increased without substantiation by pressure testing.

SIRRC. The committee did not reach a resolution on this recommendation. Industry members were concerned that NAPSR's recommended changes to Sec. 192.557 would unintentionally prohibit the uprating of some pipelines that could be uprated under the present rule. However, the committee did agree that in Sec. 192.553(d) the reference to ``this part'' should be changed to ``Sec. Sec. 192.619 and 192.621'' to specify the sections that limit MAOP.

Response. We decided not to propose to adopt NAPSR's recommendation because we feel the requirement to base any increase in MAOP on a test pressure is clear under Sec. 192.553(d). This section limits any increase in MAOP to the maximum allowed for new pipelines, which, under Sec. 192.619(a)(2)(ii), must be based on a pressure test. However, we are proposing to adopt SIRRC's suggested change to clarify Sec. 192.553(d).

26. Section 192.607, Determination of Class Location and Confirmation of Maximum Allowable Operating Pressure. (SIRRC Summary Report, p. 43)

Recommendation. Remove expired compliance deadlines from Sec. 192.607.

SIRRC. The committee agreed the recommendation was no longer needed.

Response. The Final Rule in PS-124 repealed Sec. 192.607.

27. Section 192.614(b)(2), Damage Prevention Program. (SIRRC Summary Report, p. 44)

Recommendation. Require that operators notify the public and known excavators about excavation damage prevention programs at least once a year.

SIRRC. The committee agreed to defer the recommendation to RSPA's damage prevention improvement team. (The work of that team has been assumed by the Dig Safely division of the Common Ground Alliance, a nonprofit organization that promotes best practices in damage prevention.)

Response. The present rule requires operators to notify the public and known excavators ``as often as needed'' to make them aware of the operator's program. This open-ended frequency permits operators to vary the timing and number of notices to recipients according to the results of their programs. Presumably fewer notices would be needed in an area where the incidence of excavation

damage is low or dropping.
Conversely, more would be needed if the incidence is high or increasing. Although NAPSR felt the rule should prescribe a minimum rate of notification, it did not explain why annual notification is appropriate in all situations. And we do not have data to support such an across-the-board rule change. Nevertheless, we think NAPSR's concern is mitigated by the authority of RSPA and state agencies under Sec. 192.603(c) to require operators to modify their damage prevention procedures on a case-by-case basis as needed for safety. Meanwhile, we are working with the Common Ground Alliance to help operators improve
their public education programs. If the need for rulemaking on notification frequency becomes apparent as a result of that effort, we will propose the necessary rule changes.

28. Section 192.615(a)(3)(i), Emergency Plans. (SIRRC Summary Report, p. 45)

Recommendation. Amend Sec. 192.615(a)(3)(i) to require that operators' procedures for handling emergencies provide for prompt and effective response to reports of gas odor inside or near buildings.
SIRRC. The committee did not reach consensus on the recommended change to Sec. 192.615(a)(3)(i), because many operators consider gas-odor reports to be potential, but not actual, emergencies. Instead, the
committee agreed that operating and maintenance manuals under Sec. 192.605(b) are a better place for procedures on responding to gas-odor reports.
Response. We agree that not all reports of gas odor indicate that gas has actually been detected. Some reports may merely indicate that someone smells what is thought to be gas but which upon investigation
cannot be confirmed as gas. If operators had to treat all reports of gas odor as emergencies, their ability to respond to true emergencies might decline. Thus we are not proposing to adopt NAPSR's
recommendation.
Regardless of whether a gas odor report is an emergency, both PS-124 commenters and SIRRC recognized the need for prompt investigation of gas odor reports to determine if a hazardous situation exists. We believe that by and large operators respond promptly to gas odor reports and have procedures for doing so. Nevertheless, to insure that operators have adequate procedures for responding promptly to gas odor reports, we are proposing to adopt SIRRC's suggested alternative by establishing Sec. 192.605(b)(11). Because some operators may prefer to apply their emergency procedures to all reports of gas odor, the
proposed rule allows them to do so.

29. Section 192.625 (f), Odorization of Gas. (SIRRC Summary Report, p. 47)

Recommendation. Require that operators sample gas to assure proper odorant concentration at least six times a year with an instrument capable of determining the percentage of gas in air. SIRRC. The committee did not agree on the frequency of sampling. Industry members wanted to maintain the flexibility of the current rule, which allows operators to determine frequency based on need. NAPSR members wanted to add certainty to the rule by requiring a sampling frequency that is in keeping with common practice.

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Nevertheless, the members did agree the rule should require use of an instrument, although they recognized that sampling for odorant concentration could not be done without an instrument. They also agreed the master meter exception should be relocated to minimize the potential for confusion over the acceptability of using ``sniff'' tests.
Response. The present rule requires operators to conduct periodic sampling to assure the proper concentration of odorant. However, operators of master meter systems (which exist mainly in mobile home
parks and multifamily housing) do not have to conduct sampling if the operator verifies the system receives properly odorized gas and performs ``sniff'' tests to confirm the presence of odorant at the ends
of the system.
NAPSR intended its recommendation to address two concerns. The first was that some operators, other than master meter operators, used ``sniff'' tests rather than instruments to determine odorant
concentration. The second was that the required sampling frequency is vague. Regarding the first concern, both PS-124 commenters and SIRRC recognized that the present sampling requirement cannot be satisfied
without using an appropriate test instrument. Indeed we believe use of an instrument is common industry practice, because a sniff test cannot accurately determine the concentration of odorant. Therefore, we are
proposing to amend Sec. 192.625(f) to state specifically that an instrument must be used to determine odorant concentration. In addition, we are not proposing to relocate the master meter exception,
because we do not think its present location confuses the acceptable use of ``sniff'' tests.

As to NAPSR's second concern, we are certainly mindful of the importance of clarity in regulations. Yet we are uneasy about proposing a minimum sampling frequency that is not backed by consensus or a safety justification that supports the frequency. At the same time, we are persuaded by PS-124 commenters and SIRRC's industry members' view that sampling frequency is more appropriately determined on the basis of system conditions. A system might need sampling more often than six times a year in problem locations but less often at locations where odorant concentration consistently meets requirements. Also, under Sec. 192.605(b)(1), each operator's operating and maintenance procedures must provide odorant sampling frequencies, and operators must be able to justify the frequencies. Finally, under Sec. 192.603(c), government regulators are authorized to challenge any sampling frequencies they consider deficient on the basis of safety data. They may also require operators to amend their procedures after considering any relevant information the operator provides. We believe this review and amendment process serves as a check on any possible misuse of sampling flexibility. Therefore, we are not proposing to establish a minimum sampling frequency.

30. Section 192.723(b)(2), Distribution Systems: Leak Surveys. (SIRRC Summary Report, p. 49)

Recommendation. Amend Sec. 192.723(b)(2) to allow leeway in meeting the leakage survey intervals.

SIRRC. The committee members agreed that NAPSR's recommendation was appropriate.

Response. In the proceeding called ``Periodic Updates to Pipeline Safety Regulations (1999)" (56 FR 15290; Mar. 22, 2000), we proposed to amend Sec. 192.723(b)(2) as NAPSR recommended.

31. Section 192.739(c), Pressure Limiting and Regulating Stations: Inspection and Testing; Sec. 192.743(c), Pressure Limiting and Regulating Stations: Testing of Relief Devices. (SIRRC Summary Report, p. 50)

Recommendation. Clarify the meaning of ``correct pressure" in Sec. 192.739(c) and ``insufficient capacity" in Sec. 192.743(c) by cross-referencing Sec. 192.201, which limits the overpressure of pipelines protected by pressure relieving and limiting stations. SIRRC. The committee agreed that both sections should cross-reference Sec. 192.201. However, the committee revised NAPSR's recommended wording to clarify that the set point of overpressure protective devices may be above the downstream MAOP.

Response. We are proposing to change Sec. Sec. 192.739(c) and 192.743(c) consistent with SIRRC's suggestions. The proposed changes would require that relief devices at existing pressure limiting and regulating stations meet the same standards for operation and relieving capacity as newly installed relief devices. The PS-124 comments and SIRRC's perspective indicate that industry practices are generally in accord with this approach to compliance with Sec. Sec. 192.739(c) and 192.743(c). So we believe the proposed changes would clarify these regulations and not add significantly to the costs of compliance.

32. Section 192.743(a) and (b), Pressure Limiting and Regulating Stations: Testing of Relief Devices. (SIRRC Summary Report, p. 52)

Recommendation. In view of the disadvantages of testing relief devices in place (cost, noise, and potential safety hazards from escaping gas), change Sec. 192.743 to allow operators to use calculations to determine if relief devices are of sufficient capacity without first having to determine that testing the devices in place is not feasible.

SIRRC. The committee members agreed to accept NAPSR's recommendation.

Response. Under the present rule, operators may not use calculations to determine necessary relief capacity until they determine that testing existing relief devices in place is not feasible. In addition to SIRRC, most PS-124 commenters supported NAPSR's recommendation. For the reasons NAPSR advanced, we also believe the recommended change is appropriate. Therefore, we are proposing to change Sec. Sec. 192.743(a) and (b) to remove the present preference for testing relief devices in place.

33. Section 192.745, Valve Maintenance: Transmission Lines. (SIRRC Summary Report, p. 53)

Recommendation. For each transmission line valve inspected under Sec. 192.745, require that operators take immediate remedial action on any valve found to be inoperable, inaccessible, improperly supported, subject to external loads or unusual stresses, or inadequately protected from unauthorized operation, tampering, or damage.

SIRRC. The committee did not reach a resolution on this recommendation. Industry members questioned the need for the

recommended changes.

Response. Section 192.745 requires annual inspection of transmission line valves that might be needed during an emergency. Because Sec. 192.745 requires each inspection to include partial operation of the valve, there is no question operators must maintain these valves in an operable condition.

Section 192.745 does not regulate how soon a valve must be corrected if it is found inoperable. NAPSR recommended immediate remedial action. Most PS-124 industry commenters preferred to act ``as soon as practical," so they would not have to disrupt other essential services. But NAPSR did not think this phrase reflected the urgency of the situation.

In the absence of a specified time limit for remedial action, operators may

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take a reasonable time. Although a reasonable time may be satisfactory for some maintenance duties, we agree with NAPSR that emergency valves found inoperable need priority attention. Therefore, we are proposing to amend Sec. 192.745 to require operators to take prompt remedial action if any valve is found inoperable. Requiring prompt action rather than immediate action should allow operators the latitude they sought in scheduling maintenance activities, yet assure a timely response.

Part 192 design and construction regulations already address most of NAPSR's other objectives. For instance, Sec. 192.179(b), a design rule, requires that onshore transmission line block valves be readily accessible, protected from tampering and damage, and adequately supported. In addition, Sec. 192.317, a construction rule, requires protection of transmission lines from external loads and unusual stresses. Moreover, if for any reason an emergency valve becomes unsafe, such as by damage or loss of support, Sec. 192.703(b) would require remedial action. While Sec. 192.703 does not establish a time limit for remedial action, we think a reasonable time is sufficient for any deficiency that does not make the valve inoperable. Therefore, we are not proposing to adopt NAPSR's recommendation to shorten the allowable response time to deficiencies that do not make an emergency valve inoperable.

Part 192 does not regulate the protection of transmission line valves from unauthorized operation. However, operators commonly provide valve security. And unauthorized operation of valves has not been a significant problem on transmission lines. Also, operators of large systems can detect unauthorized operation of valves through monitoring of system pressures. Following the events of September 11, 2001, we began working with operators and other federal agencies to consider the need to improve the security of critical pipeline facilities. Given these circumstances, we are not now proposing to regulate the unauthorized operation of transmission line valves.

34. Section 192.747 Valve Maintenance: Distribution Systems. (SIRRC Summary Report, p. 54)

Recommendation. Change Sec. 192.747, which requires annual inspection and servicing of each valve that may be needed for safe operation of a distribution system, to apply only to valves that operators designate for use in an emergency. Also, require partial operation of each emergency valve, and immediate remedial action if the valve is found to be inoperable, inaccessible, improperly supported, subject to external loads or unusual stresses, or inadequately protected from unauthorized operation, tampering, or damage.

SIRRC. Although the committee did not reach consensus on this recommendation, it agreed that remediation could include designation of an alternate emergency valve. Industry members were particularly concerned that partial operation could cause some valves to close inadvertently, with potentially dangerous consequences, and could damage valves not designed for frequent operation.

Response. NAPSR's rationale for limiting the present rule to designated emergency valves was to make clear which valves are to be inspected. However, we think Sec. 192.605(b)(1), which requires operators to have procedures for complying with Sec. 192.747, adequately addresses NAPSR's concern. Operators' procedures should not only explain how to inspect and service valves, but also identify which valves are to be inspected and serviced. In addition, valves intended for safe operation of a distribution system may not be the same valves operators might designate for use in an emergency. So limiting the present rule to emergency valves for the sake of clarity could inadvertently narrow the rule.

Still we think that any valve that may be needed for safe operation of a distribution system should receive priority attention if it is found inoperable. Therefore, we are proposing to amend Sec. 192.747 to require prompt remedial action if any such valve is found inoperable, unless the operator designates an alternate valve. For the reasons stated above in response to Recommendation No. 33, we are not proposing to adopt NAPSR's recommendation to require immediate remedial action on deficient valves that remain operable. Further, because of the possibility of adverse consequences to the valve or others, we are not proposing to require partial operation of valves.

The accessibility of distribution system valves has been a safety problem in some situations. For instance, if a valve essential to

stop the flow of gas in an emergency is found to be paved over, the resulting delay in operating the valve can worsen the emergency. We think Sec. 192.605(b)(1) addresses this problem. This rule requires distribution operators to have and follow procedures to carry out the safety valve maintenance requirements of Sec. 192.747. And these procedures should identify which distribution system valves are subject to Sec. 192.747. If an identified safety valve is paved over without notice between annual inspections, the operator should discover the problem no later than the next annual inspection. At that time the operator would have to either correct the problem in order to carry out the inspection or revise its procedures to designate an alternative safety valve.

35. Section 192.753, Caulked Bell and Spigot Joints. (SIRRC Summary Report, p. 57)

Recommendation. Correct the conflict between Sec. 192.621(a)(3), which allows a pressure as high as 25 psig in cast iron pipe with unreinforced bell and spigot joints, and Sec. 192.753(a), which requires cast-iron bell and spigot joints subject to pressures of 25 psig or more to be sealed.

SIRRC. The committee members agreed the conflict should be corrected.

Response. We are proposing to change Sec. 192.753 to remove the conflict.

Regulatory Analyses and Notices

Executive Order 12866 and DOT Policies and Procedures

RSPA does not consider this proposed rulemaking to be a significant regulatory action under Section 3(f) of Executive Order 12866 (58 FR 51735; Oct. 4, 1993). Therefore, the Office of Management and Budget (OMB) has not received a copy of this rulemaking to review. RSPA also does not consider this proposed rulemaking to be significant under DOT regulatory policies and procedures (44 FR 11034: February 26, 1979).

We prepared a Draft Regulatory Evaluation of the proposed rules, and a copy is in the docket. This regulatory evaluation concludes that the proposed changes to existing rules may actually reduce operators' costs to comply with those rules because some proposals have compliance options. If you disagree with this conclusion, please provide information to the public docket described above.

Regulatory Flexibility Act

The proposed rules are consistent with customary practices in the gas pipeline industry. Therefore, based on the facts available about the anticipated impacts of this proposed rulemaking, I certify, pursuant to Section 605 of the Regulatory Flexibility Act (5 U.S.C. 605), that this proposed rulemaking would not have a significant impact on a substantial number of small entities. If you have any information that this conclusion about the impact on small

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entities is not correct, please provide that information to the public docket described above.

Executive Order 13084

The proposed rules have been analyzed in accordance with the principles and criteria contained in Executive Order 13084, ``Consultation and Coordination with Indian Tribal Governments.'' Because the proposed rules would not significantly or uniquely affect the communities of the Indian tribal governments and would not impose substantial direct compliance costs, the funding and consultation requirements of Executive Order 13084 do not apply.

Paperwork Reduction Act

Proposed Sec. Sec. 192.517(b) and 192.605(b)(11) contain minor additional information collection requirements. Operators would be required under Sec. 192.517(b) to maintain for 5 years records of certain leak tests, and under Sec. 192.605(b)(11) to have procedures for responding promptly to a report of gas odor inside or near a building. However, we believe most operators already maintain records of leak tests and have procedures for responding to reports of gas odor inside or near buildings. Also, we believe the burden of retaining these records is minimal. These records are largely

computerized. Maintaining these records on a floppy disk or computer file represents very minimal costs. So, because the additional paperwork burdens of this proposed rule are likely to be minimal, we believe that submitting an analysis of the burdens to OMB under the Paperwork Reduction Act is unnecessary. If you disagree with this conclusion, please submit your comments to the public docket.

Unfunded Mandates Reform Act of 1995

This proposed rulemaking would not impose unfunded mandates under the Unfunded Mandates Reform Act of 1995. It would not result in costs of $100 million or more to either State, local, or tribal overnments, in the aggregate, or to the private sector, and would be the least burdensome alternative that achieves the objective of the rule.

National Environmental Policy Act

We have analyzed the proposed rules for purposes of the National Environmental Policy Act (42 U.S.C. 4321 et seq.). Because the proposed rules parallel present requirements or practices, we have preliminarily
determined that the proposed rules would not significantly affect the quality of the human environment. An environmental assessment document is available for review in the docket. A final determination on
environmental impact will be made after the end of the comment period. If you disagree with our preliminary conclusion, please submit your comments to the docket as described above.

Impact on Business Processes and Computer Systems

We do not want to impose new requirements that would mandate business process changes when the resources necessary to implement those requirements would otherwise be applied to ``Y2K'' or related
computer problems. The proposed rules would not mandate business process changes or require modifications to computer systems. Because the proposed rules would not affect the ability of organizations to respond to those problems, we are not proposing to delay the effectiveness of the requirements.

Executive Order 13132

The proposed rules have been analyzed in accordance with the principles and criteria contained in Executive Order 13132 (``Federalism''). The proposed rules do not propose any regulation that: (1) Has substantial direct effects on the States, the relationship between the National government and the States, or the distribution of power and responsibilities among the various levels of government; (2) imposes substantial direct compliance costs on State and local governments; or (3) preempts state law. Therefore, he consultation and funding requirements of Executive Order 13132 do not apply.

List of Subjects in 49 CFR Part 192

Natural gas, Pipeline safety, Reporting and recordkeeping requirements.

For the reasons discussed in the preamble, RSPA proposes to amend 49 CFR part 192 as follows:

PART 192--TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE:
MINIMUM FEDERAL SAFETY STANDARDS

1. The authority citation for part 192 continues to read as follows:

Authority: 49 U.S.C. 5103, 60102, 60104, 60108, 60109, 60110, 60113, and 60118; and 49 CFR 1.53.

2. Amend Sec. 192.3 by adding definitions of ``customer meter'' and ``service regulator'' and by revising the definition of ``service line'' as follows:

Sec. 192.3 Definitions.

* * * * *

``Customer meter'' means the meter that measures the transfer of gas from an operator to a consumer.
* * * * *
``Service line'' means a distribution line that transports gas from a common source of supply to an individual customer, to two adjacent or adjoining residential or small commercial customers, or to multiple
residential or small commercial customers served through a meter manifold. A service line terminates at the outlet of the customer meter or at the connection to a customer's piping, whichever is further downstream, or at the connection to customer piping if there is no meter.
``Service regulator'' means the device on a service line which controls the pressure of gas delivered from a higher pressure to the pressure provided to the customer. A service regulator may serve one customer or multiple customers through a meter header or manifold.* * * * *

Sec. 192.123 [Amended]

3. Remove the second sentence in Sec. 192.123(b)(2)(i).

Sec. 192.197 [Amended]

4. In Sec. 192.197(a), remove the term ``under 60 p.s.i. (414 kPa) gage'' and add the term ``60 psi (414 kPa) gage, or less,'' in its place.

Sec. 192.285 [Amended]

5. In Sec. 192.285(d), remove the term ``his'' and add the term ``the operator's'' in its place.
6. Revise Sec. 192.311 to read as follows:

Sec. 192.311 Repair of plastic pipe.

Each imperfection or damage that would impair the serviceability of plastic pipe must be repaired or removed.
7. Revise Sec. 192.321(e) to read as follows:

Sec. 192.321 Installation of plastic pipe.

* * * * *
(e) Plastic pipe that is not encased must have an electrically conducting wire or other means of locating the pipe while it is underground. Tracer wire may not be wrapped around the pipe and contact with the pipe must be minimized. Tracer wire or other metallic elements installed for pipe locating purposes must be resistant to corrosion damage, either by use of coated copper wire or by other means.
* * * * *
8. Revise the first sentence of Sec. 192.353(a) to read as follows:

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Sec. 192.353 Customer meters and regulators: Location.

(a) Each meter and service regulator, whether inside or outside of a building, must be installed in a readily accessible location and be protected from corrosion, vehicular, and other damage. * * *
* * * * *
9. Add Sec. 192.361(g) to read as follows:

Sec. 192.361 Service lines: Installation.

* * * * *

(g) Locating underground service lines. Each underground service line that is not encased must have a means of locating the pipe that complies with Sec. 192.321(e).

Sec. 192.457 [Amended]

10. Amend Sec. 192.457 as follows:
a. Remove the second sentence in paragraph (b)(3); and
b. Remove paragraph (c).
11. Revise Sec. 192.465(e) to read as follows:

Sec. 192.465 External corrosion control: Monitoring.

* * * * *

(e) After the initial evaluation required by Sec. Sec. 192.455(b) and (c) and 192.457(b), each operator must, not less than every 3 years at intervals not exceeding 39 months, reevaluate its unprotected
pipelines and cathodically protect them in accordance with this subpart in areas in which active corrosion is found. The operator must determine the areas of active corrosion by electrical survey. However,
on distribution lines and where an electrical survey is impractical on transmission lines, areas of active corrosion may be determined by other means that include review and analysis of leak repair and
inspection records, corrosion monitoring records, exposed pipe inspection records, and the pipeline environment. In this section:
(1) Active corrosion means continuing corrosion which, unless controlled, could result in a condition that is detrimental to public safety or the environment.
(2) Electrical survey means a series of closely spaced pipe-to-soil readings over a pipeline that are subsequently analyzed to identify locations where a corrosive current is leaving the pipeline.
(3) Pipeline environment includes soil resistivity (high or low), soil moisture (wet or dry), soil contaminants that may promote corrosive activity, and other known conditions that could affect the
probability of active corrosion.
12. Revise Sec. 192.479 to read as follows:

Sec. 192.479 Atmospheric corrosion control: General.

(a) Each operator must clean and coat each pipeline or portion of pipeline that is exposed to the atmosphere, except pipelines under paragraph (c) of this section.
(b) Coating material must be suitable for the prevention of atmospheric corrosion.
(c) Except portions of pipelines in offshore splash zones or soil-to-air interfaces, the operator need not protect against atmospheric corrosion any pipeline for which the operator demonstrates by test, investigation, or experience appropriate to the environment of the pipeline that corrosion will--
(1) Only be a light surface oxide; or
(2) Not affect the safe operation of the pipeline before the next scheduled inspection.
13. Revise Sec. 192.481 to read as follows:

Sec. 192.481 Atmospheric corrosion control: Monitoring.

(a) Each operator must inspect each pipeline or portion of pipeline that is exposed to the atmosphere for evidence of atmospheric corrosion, as follows:

---

(1) If the pipeline is located:	Then the frequency of inspection is:
(2) Onshore.....	At least once every 3 calendar years, but with intervals not exceeding 39 months
(3) Offshore.....	At least once each calendar year, but with intervals not exceeding 15 months.

(b) During inspections the operator must give particular attention to pipe at soil-to-air interfaces, under thermal insulation, under disbonded coatings, at pipe supports, in splash zones, at deck penetrations, and in spans over water.

(c) If atmospheric corrosion is found during an inspection, the operator must provide protection against the corrosion as required by Sec. 192.479.

14. Amend Sec. 192.517 as follows:

a. Designate the introductory text as paragraph (a);

b. b. In newly designated paragraph (a), redesignate paragraphs (a), (b), (c), (d), (e), (f), and (g) as (a)(1), (2), (3), (4), (5), (6), and (7), respectively; and

c. Add paragraph (b) to read as follows:

Sec. 192.517 Records.

* * * * *

(b) Each operator must maintain a record of each test required by Sec. Sec. 192.509, 192.511, and 192.513 for at least 5 years.

15. In the first sentence in Sec. 192.553(d), remove the term ``this part'' and add the term ``Sec. Sec. 192.619 and 192.621'' in its place.

16. Add Sec. 192.605(b)(11) to read as follows:

Sec. 192.605 Procedural manual for operations, maintenance, and emergencies.

* * * * *

(b) * * *

(11) Responding promptly to a report of gas odor inside or near a building, unless the operator's emergency procedures under Sec. 192.615(a)(3) specifically apply to these reports.

* * * * *

17. Revise the first sentence of Sec. 192.625(f) introductory text to read as follows:

Sec. 192.625 Odorization of gas.

* * * * *

(f) To assure the proper concentration of odorant in accordance with this section, each operator must conduct periodic sampling of combustible gases using an instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable.

* * *

* * * * *

18. Revise Sec. 192.739(c) to read as follows:

Sec. 192.739 Pressure limiting and regulating stations: Inspection and testing.

* * * * *

(c) Set to control or relieve at the correct pressures consistent with the pressure limits of Sec. 192.201(a); and

* * * * *

19. Revise Sec. 192.743 to read as follows:

Sec. 192.743 Pressure limiting and regulating stations: Capacity of relief devices.

(a) Pressure relief devices at pressure limiting stations and pressure regulating stations must have sufficient capacity to protect the facilities to which they are connected consistent with the pressure limits of Sec. 192.201(a). This capacity must be determined at intervals not exceeding 15 months, but at least once each calendar year, by testing the devices in place or by review and calculations.

(b) If review and calculations are used to determine if a device has sufficient capacity, the calculated capacity must be compared with the rated or experimentally determined relieving capacity of the device for the conditions under which it operates. After the initial calculations, subsequent calculations need not be made if the annual review documents that parameters have not changed so as to cause the rated or

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experimentally determined relieving capacity to be insufficient. (c) If a relief device is of insufficient capacity, a new or additional device must be installed to provide the capacity required by paragraph (a) of this section.

20. Amend Sec. 192.745 as follows:

a. Designate the existing text as paragraph (a); and

b. Add paragraph (b) to read as follows:

Sec. 192.745 Valve maintenance: Transmission lines.

* * * * *

(b) Each operator must take prompt remedial action to correct any valve found inoperable.

21. Amend Sec. 192.747 as follows:

a. Designate the existing text as paragraph (a); and

b. Add paragraph (b) to read as follows:

Sec. 192.747 Valve maintenance: Distribution systems.

* * * * *

(b) Each operator must take prompt remedial action to correct any valve found inoperable, unless the operator designates an alternate valve.

22. In Sec. 192.753, revise the introductory text of paragraph (a) and revise paragraph (b) to read as follows:

Sec. 192.753 Caulked bell and spigot joints.

(a) Each cast iron caulked bell and spigot joint that is subject to pressures of more than 25 psi (172kPa) gage must be sealed with:

* * * * *

(b) Each cast iron caulked bell and spigot joint that is subject to pressures of 25 psi (172kPa) gage or less and is exposed for any reason must be sealed by a means other than caulking.

Issued in Washington, DC, on October 31, 2002.

Stacey L. Gerard,

Associate Administrator for Pipeline Safety.

[FR Doc. 02-28240 Filed 11-12-02; 8:45 am]

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[CORRECTIONS]
[Page 70118]
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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket No. RSPA-97-2762; Amdt. 195-73]
RIN 2137-AD24

Controlling Corrosion on Hazardous Liquid and Carbon Dioxide Pipelines

Correction

In rule document 01-31655 beginning on page 66994 in the issue of Thursday, December 27, 2001, make the following correction:

Sec. 195.573 [Corrected]

On page 67006, in Sec. 195.573 (c), in the first column, the table is corrected to read as set forth below.

Device	Check frequency
Rectifier	At least six times each calendar year, but with intervals not exceeding 2\1/2\ months.
Reverse current switch	
Diode	
Interference bond whose failure would jeopardize structural protection.	
Other interference bond	At least once each calendar year, but with intervals not exceeding 15 months.

[FR Doc. C1-31655 Filed 11-19-02; 8:45 am]

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[Notices]
[Page 70806-70808]
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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Notification of the Susceptibility To Premature Brittle-Like Cracking of Older Plastic Pipe

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice; issuance of advisory bulletin.

SUMMARY: RSPA is issuing this follow-up advisory bulletin to owners and operators of natural gas distribution systems to inform them of the susceptibility to premature brittle-like cracking of older plastic pipe and the voluntary efforts to collect and analyze data on plastic pipe performance. A Special Investigation Report issued by the National Transportation Safety Board (NTSB) described how plastic pipe installed in natural gas distribution systems from the 1960s through the early 1980s may be vulnerable to brittle-like cracking resulting in gas leakage and potential hazards to the public and property. On March 11, 1999, RSPA issued two advisory bulletins on this issue. The first bulletin reminded natural gas distribution system operators of the potential poor resistance to brittle-like cracking of certain polyethylene pipe manufactured by Century Utility Products, Inc. The second bulletin advised natural gas distribution system operators of the potential vulnerability of older plastic pipe to brittle-like cracking.

ADDRESSES: This document can be viewed on the Office of Pipeline Safety (OPS) home page at: http://ops.dot.gov.

FOR FURTHER INFORMATION CONTACT: Gopala K. Vinjamuri, (202) 366-4503, or by e-mail at gopala.vinjamuri@rspa.dot.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On April 23, 1998, NTSB issued a Special Investigation Report (NTSB/SIR-98/01), Brittle-like Cracking in Plastic Pipe for Gas Service, that describes how plastic pipe installed in natural gas distribution systems from the 1960s through the

early 1980s may be vulnerable to brittle-like cracking resulting in gas leakage and potential hazards to the public and property. An NTSB survey of the accident history of plastic pipe suggested that the material may be susceptible to premature brittle-like cracking under conditions of local stress intensification because of improper joining or installation procedures. Hundreds of thousands of miles of plastic pipe have been installed, with a significant amount installed prior to the early-1980s. NTSB believes any vulnerability of this material to premature cracking could represent a potentially serious hazard to public safety. Copies of this report may be obtained by calling NTSB's Public Inquiry Office at 202-314-6551.

RSPA has already issued two advisory bulletins on this issue. The first advisory bulletin, ADB-99-01, which was published in the Federal Register on March 11, 1999 (47 FR 12211), reminded natural gas distribution system operators of the potential poor resistance to brittle-like cracking of certain polyethylene pipe manufactured by Century Utility Products, Inc. The second advisory bulletin, ADB-99-02, also published in the Federal Register on March 11, 1999 (47 FR 12212), advised natural gas distribution system operators of the potential brittle-like cracking vulnerability of plastic pipe installed between the 1960s and early 1980s.

The phenomenon of brittle-like cracking in plastic pipe as described in the NTSB report and generally understood within the plastic pipeline industry relates to a part-through crack initiation in the pipe wall followed by stable crack growth at stress levels much lower than the stress required for yielding, resulting in a very tight slit-like openings and gas leaks. Although significant cracking may occur at points of stress concentration and near improperly designed or installed fittings, small brittle-like cracks may be difficult to detect until a significant amount of gas leaks out of the pipe, and potentially migrates into an enclosed space such as a basement. Premature brittle-like cracking requires relatively high localized stress intensification that may be a result from geometrical discontinuities, excessive bending, improper installation of fittings, and dents and gouges. Because this failure mode exhibits no evidence of gross yielding at the failure location, the term brittle-like cracking is used. This phenomenon is different from brittle fracture, in which the pipe failure causes fragmentation of the pipe.

The NTSB report suggests that the combination of more durable plastic pipe materials and more realistic strength testing has improved the reliability of estimates of the long-term hydrostatic strength of modern plastic pipe and fittings. The report also documents that older polyethylene pipe, manufactured from the 1960s through the early 1980s, may fail at lower stresses and after less time than was originally projected. NTSB alleges that

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past standards used to rate the long-term strength of plastic pipe may have overrated the strength and resistance to brittle-like cracking of much of the plastic pipe manufactured and used for gas service from the 1960s through the early 1980s.

In 1998, NTSB made several recommendations to trade organizations and to RSPA on the need for a better understanding of the susceptibility of plastic pipe to brittle-like cracking. This advisory bulletin responds to one of the NTSB recommendations. It is that RSPA ``[d]etermine the extent of the susceptibility to premature brittle-like cracking of older plastic piping (beyond that marketed by Century Utilities Products Inc.) that remains in use for gas service nationwide. Inform gas system operators of the findings and require them to closely monitor the performance of the older plastic piping and to identify and replace, in a timely manner, any of the piping that indicates poor performance based on such evaluation factors as installation, operating, and environmental conditions; piping failure characteristics; and leak history." In order to obtain the most complete information on the extent of the susceptibility to premature brittle-like cracking of older plastic pipe, a meeting was convened in May 1999 with all the stakeholders to determine how information on older plastic pipe could be assembled. The meeting included representatives of the American Gas Association (AGA), the American Public Gas Association (APGA), the Gas Research Institute (GRI) (now the Gas Technology Institute), the Midwest Energy Association (MEA), and the Plastic Pipe Institute (PPI).

As a result of the May 1999 meeting, the Joint Government-Industry Plastic Pipe Study Committee was formed to address the recommendations of the NTSB Special Investigation Report. The committee held three separate meetings to prepare a draft response to the NTSB recommendations and a draft industry notification of brittle-like cracking problems, the subject of this advisory bulletin. The committee membership consisted of a representative from OPS, a gas distribution operator from AGA, and the Transportation Safety Institute. Meetings were facilitated by General Physics Corporation, Columbia, MD. One of the committee findings was that there is a lack of data available from the industry to completely identify older plastic pipe that is still in service and

may be susceptible to brittle-like cracking.

This finding led to the formation of the Plastic Pipe Database Committee (PPDC) to develop a process for gathering data on future plastic pipe failures with involvement from the states, which have assumed the authority from OPS over gas distribution systems, where most of the plastic pipe is installed. The PPDC is comprised of representatives from Federal and State regulatory agencies and from the natural gas and plastic pipe industries. Members include AGA, APGA, PPI, the National Association of Regulatory Utility Commissioners (NARUC), the National Association of Pipeline Safety Representatives (NAPSR), and OPS.

The PPDC database is expected to improve the knowledge base of gas utility operators and regulators and is intended to help reveal any failure trends associated with older plastic piping materials. The PPDC's mission is ``to develop and maintain a voluntary data collection process that supports the analysis of the frequency and causes of in-service plastic piping material failures." It provides an opportunity for government and industry to work together to evaluate the extent of plastic pipe performance problems and to mitigate any risks to safety.

The PPDC started gathering data in January 2001 from OPS and State pipeline safety agencies. For more information on the PPDC, go to the AGA Web page (http://www.aga.org), and enter ``PPDC" in the keyword search.

II. Advisory Bulletin (ADB-02-7)

To: Owners and Operators of Natural Gas Distribution Pipeline Systems.

Subject: Notification of the Susceptibility to Premature Brittle-like Cracking of Older Plastic Pipe.

Advisory: In recent years, brittle-like cracking has been observed in some polyethylene pipes installed in gas service through the early 1980s. This brittle-like cracking (also known as slow crack growth) can substantially reduce the service life of polyethylene piping systems. The susceptibility of some polyethylene pipes to brittle-like cracking is dependent on the resin, pipe processing, and service conditions. A number of studies have been conducted on older polyethylene pipe. These studies have shown that some of these older polyethylene pipes are more susceptible to brittle-like cracking than current materials. These older polyethylene pipe materials include the following:

[sbull] Century Utility Products, Inc. products.

[sbull] Low-ductile inner wall ``Aldyl A" piping manufactured by Dupont Company before 1973.

[sbull] Polyethylene gas pipe designated PE 3306. (As a result of poor performance this designation was removed from ASTM D-2513.)

The environmental, installation, and service conditions under which the piping is used are factors that could lead to premature brittle-like cracking of these older materials. These conditions include, but are not limited to:

[sbull] Inadequate support and backfill during installation.

[sbull] Rock impingement.

[sbull] Shear/bending stresses due to differential settlement resulting from factors such as:

--Excavation in close proximity to polyethylene piping
--Directional drilling in close proximity to polyethylene piping
--Frost heave

[sbull] Bending stresses due to pipe installations with bends exceeding recommended practices.

[sbull] Damaging squeeze-off practices.

Service temperatures and service pressures also influence the service life of polyethylene piping. Piping installed in areas with higher ground temperatures or operated under higher operating pressures will have a shorter life.

Gas system operators may experience an increase in failure rates with a susceptible material. A susceptible material may have leak-free performance for a number of years before brittle-like cracks occur. An increase in the occurrence of leaks will typically be the first indication of a brittle-like cracking problem. It is the responsibility of each pipeline operator to monitor the performance of their gas

system. RSPA issues the following recommendations to aid operators in identifying and managing brittle-like cracking problems in polyethylene piping involving taking appropriate action, including replacement, to mitigate any risks to public safety.

Because systems without known susceptible materials may also experience brittle-like cracking problems, RSPA recommends that all operators implement the following practices for all polyethylene piping systems:

1. Review system records to determine if any known susceptible materials have been installed in the system. Both engineering and purchasing records should be reviewed. Based on the available records, identify the location of the susceptible materials. More frequent inspection and leak surveys should be performed on systems that have exhibited brittle-like cracking failures of known susceptible materials.

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2. Establish a process to identify brittle-like cracking failures. Identification of failure types and site installation conditions can yield valuable information that can be used in predicting the performance of the system.
3. Use a consistent record format to collect data on system failures. The AGA Plastic Failure Report form (Appendix F of the AGA Plastic Pipe Manual) provides an example of a report for the collection of failure data.
4. Collect failure samples of polyethylene piping exhibiting brittle-like cracking. Evidence of brittle-like cracking may warrant laboratory testing. Although every failure may not warrant testing, collecting samples at the time of failure would provide the opportunity to conduct future testing should it be deemed necessary.
5. Whenever possible record the print line from any piping that has been involved in a failure. The print line information can be used to identify the resin, manufacturer and year of manufacture for plastic piping.
6. For systems where there is no record of the piping material, consider recording print line data when piping is excavated for other reasons. Recording the print line data can aid in establishing the type and extent of polyethylene piping used in the system.

(49 U.S.C. chapter 601; 49 CFR 1.53)

Issued in Washington, DC, on November 21, 2002.
Stacey L. Gerard,
Associate Administrator for Pipeline Safety.
[FR Doc. 02-30055 Filed 11-25-02; 8:45 am]

BILLING CODE 4910-60-P

3. AUDIT SECTION

A. Maintains headquarters and three district offices as follows:
Headquarters - William B. Travis Building
1701 North Congress, P. O. Box 12967, Austin, Texas 78701 Telephone (512) 463-7022
Ed Abrahamson, Assistant Director

Dallas District- 1546 Rowlett Rd., Suite 107, Garland, Texas 75043 Telephone (972) 240-5757; Fax (972)303-1897

Stephen Cooper, Auditor
Josh Settle, Auditor

Austin District- P. O. Box 12967, Austin, Texas 78711-2967 Telephone (512) 463-7022

Houston District- 1706 Seamist Drive. Suite 501, Houston, Texas 77008-3135 Telephone (713) 869-8425; Fax (713)869-3219

Mark Brock, Supervising Auditor
Dale Francis, Auditor
Margie Stoney, Auditor
Konata Uzoma, Auditor
Lekisha Churchwell, Auditor
Larry Alcorn, Auditor

B. **Gas Utility Tax, Annual Reports and Audit Reports**

Questions relating to gas utility tax, annual reports and audit reports, call Shannon L. Miller at (512) 463-7022.

C. **Available Information**

Copies of company annual reports (1994 to present), as well as information relating to any of the above, A through C, are available for review at the William B. Travis Building, Gas Services Division, 9th Floor, 1701 North Congress. All requests for copies must be made in writing and should be addressed to the Audit Section. Copies will be provided for a fee, depending on the volume of copy work desired, allow a minimum of five days for completion of requests. Inquiries regarding copies should be directed to the Audit Section at (512) 463-7022, or Fax your request to (512) 475-3180**.**

4. REGULATORY ANALYSIS AND POLICY

A. Maintains the following office to assist you:

Headquarters - William B. Travis Building
1701 North Congress, P.O. Box 12967, Austin, Texas 78711 Telephone (512) 463-7164
Karl Nalepa, Assistant Director

B. **Gas Utilities Information Bulletin**

Published on the Commission's web site at: http://www.rrc.state.tx.us/divisions/gs/rap/rapbls.html.

C. **Proposals For Decision**

Published on the Commission's web site at: http://www.rrc.state.tx.us/divisions/gs/rap/pfds.html.

D. **Tariff Filings**
Questions pertaining to the filing of tariffs and/or quality of service rules should be directed to Kathy Arroyo, Yolanda Lovelace or Sandra Soto at (512) 463-7164.

E. **Curtailments**
Curtailment questions should be referred to Sandra Soto at (512) 463-7164. Curtailment reports made Monday through Friday, 8:00 a.m. to 5:00 p.m., should be made to (512) 463-7164. Curtailment reports made during hours other than those specified above and holidays, should be made to (512) 463-6788, (512) 896-3863 (digital pager), (512) 892-1772 or (512) 280-5949.

F. Compliance Filings

Questions regarding gas utilities docket compliance filing requirements should be referred to Jackie Standard at (512) 463-7164.

G. Complaints and Inquiries

All complaints and inquiries relating to the gas utility industry should be directed to the Regulatory Analysis and Policy section at (512) 463-7164.

H. Rules and Regulations:

GUD No. 9221 Amendments to Quality of Service Rules

GUD No. 9253 New Rule for Relocation Cost Recovery Factor

GUD No. 9257 Amendments to §7.450 Gas Distribution in Mobile Home Parks, Apartment Houses and Apartment Units.

GUD No. 9275 Amendments to §7.512 NGPA Section 311 Rate Review

GUD No. 9276 Amendments to §7.511 TUC Section 102.054 Sale, Transfer, Merger Reviews

GUD No. 9277 Amendments to §7.305 Curtailment Rule

GUD No. 9303 Amendments to §7.465 Abandonment Rule

GUD No. 9334 Amendments to §7.310 System of Accounts

5. HEARINGS AND LEGAL ANALYSIS

A. Miscellaneous

Anyone wishing to obtain copies of appendices to Orders appearing in Section 5 of this Bulletin should contact the Legal Division at (512) 463-7017.

B. Status of Pending Cases

The status of all pending cases listed in Section 3 of this Bulletin is for informational purposes only and is complete up to the time of printing of this Bulletin. For a more accurate status of pending cases, please call the Legal Division at (512) 463-7017.