

**RAILROAD COMMISSION OF TEXAS  
GAS SERVICES DIVISION**

**GAS UTILITIES  
INFORMATION BULLETIN**

**No. 700**



**RAILROAD COMMISSION  
OF TEXAS**

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

**Steve Pitner  
Director  
Gas Services Division**

**May 24, 2002**

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**SECTION 1  
NEW APPEALS AND APPLICATIONS FILED**

- DOCKET NO.** -- 9305
- CAPTION** -- Application of Duke Energy TX Intrastate PL LLC for review of the purchase of a natural gas pipeline system known as the Willamar Facility from Kinder Morgan Texas Pipeline, L.P.
- DATE FILED** -- May 13, 2002
- FILED BY** -- Katie Rice
- EXAMINER** -- Zuleida Cruz
  
- DOCKET NO.** -- 9306
- CAPTION** -- Application of Kinder Morgan Texas Pipeline, LP for review of a sale of a natural gas pipeline system known as the Willamar Facility to Duke Energy Service, L.P.
- DATE FILED** -- May 13, 2002
- FILED BY** -- Lee Baskin
- EXAMINER** -- Zuleida Cruz
  
- DOCKET NO.** -- 9307
- CAPTION** -- Application of TXU Lone Star Pipeline for approval of abandonment of service and facilities for four customers served from TXU’s Lines L8BA/L8BAA/L8BAB in Madison County, TX.
- DATE FILED** -- May 15, 2002
- FILED BY** -- Charles R. Yarbrough, II
- EXAMINER** -- Mark Evarts

**SECTION 2  
APPEALS AND APPLICATIONS SET FOR HEARING OR PREHEARING CONFERENCE**

None at this time.

**SECTION 3  
STATUS OF PENDING CASES**

None at this time.

**SECTION 4  
NOTICES OF DISMISSAL**

None at this time.

**SECTION 5  
ORDERS OF THE COMMISSION**

None at this time.

**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. January 2000 Pipeline Safety Rules - \$24.00, 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)  
PO Box 12967  
Austin, Texas 78711-2967 Telephone (512) 463-7058

Mary L. McDaniel, P.E., Assistant Director  
William (Bill) Dase, Jr., P.E., Engineer  
Terry Pardo, P.E., Engineer  
K. David Born, Field Operations Manager  
William (Bill) Meyer, Compliance Manager  
Lee Thying, P.E., Engineer  
Kendall Smith, Program Administrator  
Maurice Curd, Program Administrator

Amarillo Region 1 - 7102 IH-40 West, Bldg. C., Amarillo, Texas 79106 Telephone (806) 468-7486

Scott Williamson, Engineering Specialist  
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Midland Region 2 - Petroleum Building, 214 West Texas, Suite 803, Midland, Texas 79701 Telephone (915) 570-5884

Glenn Taylor, Area Supervisor (Midland/Amarillo)  
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Keith Smith, Engineering Assistant  
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Kilgore Region 3 - 619 Henderson Boulevard, Kilgore, Texas 75662 Telephone (903) 984-8581

Bob Oldham, Engineering Specialist  
James Alexander, Engineering Specialist  
Jerry Hill, Engineering Specialist

Austin Region 4 - 1701 North Congress, P. O. Box 12967, Austin, Texas 78711 Telephone (512) 463-7050

Johnny Burgess, Engineering Specialist  
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Houston Region 5 -1706 Seamist Drive, Ste 501, Houston, Texas 77008-3135 Telephone (713) 869-8425

Danny Nichols, Area Supervisor  
Jerry Hoff, Engineering Specialist  
Jim Arnold, Engineering Specialist  
Randy Vaughn, Engineering Assistant  
Gregory Johnson, Engineering Assistant  
Frank Henderson, Engineering Assistant

Dallas Region 6 -1546 Rowlett Rd., Suite 107, Garland, Texas 75043 Telephone (972) 240-5757

Jody Kerl, P.E., Area Supervisor (Dallas/Kilgore)  
M. Kathryn Williams-Guzman, Engineering Specialist  
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Corpus Christi Region 7 -10320 IH-37, P.O. Box 10307, Corpus Christi, Texas 78460-0307 Telephone (361) 242-3117

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

#### **B. Monthly Summary (March)**

No. of distribution safety evaluations - 98  
No. of transmission safety evaluations - 70  
No. of liquid safety evaluations - 27  
No. of leak/calls - 42  
No. of accident investigations - 6  
No. of special investigations - 28

#### **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: May 24, 2002 (Volume 67, Number 101)]

[Notices]

[Page 36666-36667]

From the Federal Register Online via GPO Access [wais.access.gpo.gov]

[DOCID:fr24my02-122]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

Notice to Operators of Natural Gas and Hazardous Liquid Pipelines To Encourage Continued Implementation of Safe Excavation Practices

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

ACTION: Notice: Protecting buried pipelines by using safe excavation practices.

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SUMMARY: RSPA is issuing this advisory notice to operators of natural gas and hazardous liquid pipelines to remind them of the importance of safe excavation practices. We have also asked our partners in the Common Ground Alliance, a new national non-profit damage prevention organization, and the Associated General Contractors of America and the National Utility Contractors Association, to help distribute this advisory.

**I. Supplementary Information**

Several recent incidents have provided the impetus to remind the pipeline operators of the importance of safe excavation practices. Increase in construction activity coincides with the arrival of spring in many parts of the country and extends through the summer months. Construction activity requires excavators to work around buried pipelines and other underground facilities, such as water, sewer, electrical and phone lines. Many private citizens also undertake excavation projects in the spring and summer months such as gardening, installing mailboxes, outdoor lights and other projects that require digging. Figures for excavation damage from RSPA's Office of Pipeline Safety (OPS) show an upward trend in the warmer months.

To protect construction workers and the general public and to guard the integrity of the nation's underground infrastructure, RSPA has implemented several damage prevention programs. These programs were developed in partnership with pipeline operators, excavators, one-call centers, locators, state pipeline safety agencies, and others involved in damage prevention for underground facilities.

The Common Ground Study, issued by OPS, contains best practices for all

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phases of damage prevention. In particular, pipeline operators need to provide accurate maps of their facilities to one-call centers; these maps must be updated regularly to reflect any changes. When locate requests are received, facility operators need to be sure that their facilities are marked in a timely and accurate manner whether this is done by operator staff or by contract locators. When facility operators are excavating, they need to call for locates of other facilities, observe the markings of those facilities and take care to avoid coming into contact with other lines while digging. RSPA urges pipeline operators to review the procedures identified in this study and to implement them.

The Common Ground Study can be viewed on line at [www.commongroundalliance.com](http://www.commongroundalliance.com).

These best practices have been adopted by many professional associations including the Associated General Contractors, the National Utility Contractors Association, National Utility Locating Contractors Association and others in the damage prevention community. Promotion of these practices is now under the auspices of the Common Ground Alliance (CGA) which represents virtually every segment of the damage prevention community. CGA has also assumed responsibility for promotion of the Dig Safely Campaign launched by DOT in 1999 which identified four key steps in safe excavation:

- Call Before You Dig
- Wait the Required Time in Your State for Operators to Mark Their Facilities
- Observe Marks Indicating the Presence of Facilities When You Dig
- Dig With Care--protect both yourself and the facilities where you are digging.

The National Transportation Safety Board has recommended an important additional step, that excavators should notify the pipeline operator immediately if their work damages a pipeline and that excavators should call 911 immediately if the damage results in a release of natural gas or other hazardous substances or potentially endangers, life, health or property.

## II. Advisory Bulletin (ADB-02-01)

To: Owners and Operators of Natural Gas and Hazardous Liquid Pipeline Systems

Subject: Notification to Stress the Importance of Safe Excavation Practices

Advisory: The arrival of warmer weather coincides with a significant increase in construction activity both by professional excavators and home owners and renters. To protect excavators and private citizens from injury and to guard the integrity of buried pipelines and other underground facilities, OPS reminds all concerned to implement the best practices of the Common Ground Study and the four steps of the Dig Safely Campaign.

- Call Before You Dig
- Wait the Required Time in Your State for Operators to Mark Their Facilities
- Observe Marks Indicating the Presence of Facilities When You Dig
- Dig With Care--protect both yourself and the facilities where you are digging.

We ask pipeline operators to undertake the following steps as part of their damage prevention efforts:

- increasing their vigilance on right-of-way inspections;
- reviewing their own procedures for following up on locate requests;
- ensuring that operator employees and contract employees follow Best Practices; and
- increasing outreach efforts to the excavator community during the spring season.

Issued in Washington, DC, on May 17, 2002.

Stacey L. Gerard,

Associate Administrator for Pipeline Safety.

[FR Doc. 02-13142 Filed 5-23-02; 8:45 am]

BILLING CODE 4910-60-P

Texas Register  
May 24, 2002  
Volume 27 Number 21  
Pages 4451-4644

TITLE 16.ECONOMIC REGULATION  
Part 1. RAILROAD COMMISSION OF TEXAS  
Chapter 7. GAS UTILITIES DIVISION  
Subchapter B. SUBSTANTIVE RULES  
16 TAC §7.70, §7.81

The Railroad Commission of Texas adopts amendments to §7.70, relating to general and definitions, and §7.81, relating to safety regulations adopted, without changes to the versions published in the April 5, 2002, issue of the Texas Register (27 TexReg 2668). The amendments adopt by reference some recent amendments issued by the United States Department of Transportation (USDOT) in 49 Code of Federal Regulations (CFR) Part 195 concerning controlling corrosion on hazardous liquid and carbon dioxide pipelines; pipeline integrity management in high consequence areas (repair criteria); hazardous liquids accident reporting; and pipeline integrity management in high consequence areas (hazardous liquid operators with less than 500 miles of pipeline).

The date stated in §7.70 and §7.81 is changed to the new date of March 21, 2002, the date on which the Commission adopts by reference the federal regulations in 49 CFR Part 195.

The amendments are adopted under Texas Utilities Code §121.201, which authorizes the Commission to adopt rules and safety standards for the transportation of gas and for gas pipeline facilities, and under the Texas Natural Resources Code, §117.001, which authorizes the Commission to regulate the pipeline transportation of hazardous liquids and carbon dioxide and facilities related thereto under, and to take any other requisite action in accordance with, the Pipeline Safety Act, 49 United States Code §60101.

Texas Utilities Code §121.201 and Texas Natural Resources Code §117.001 are affected by the adopted amendments.

This agency hereby certifies that the adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Effective date: May 29, 2002

**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

Ed Abrahamson, Assistant Director

Telephone (512) 463-7022

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

Karl Nalepa, Assistant Director

Telephone (512) 463-7164

**B. Gas Utilities Information Bulletin**Published on the Commission's web site at: <http://www.rrc.state.tx.us/divisions/gsap/rapbls.html>.**C. Proposals For Decision**Published on the Commission's web site at: <http://www.rrc.state.tx.us/divisions/gsap/pfds.html>.**D. Tariff Filings**

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

**E. Curtailments**

Curtilment questions should be referred to Sandra Soto at (512) 463-7164. Curtilment reports made Monday through Friday, 8:00 a.m. to 5:00 p.m., should be made to (512) 463-7164. Curtilment 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:** None at this time.

**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.