

**RAILROAD COMMISSION OF TEXAS,
PIPELINE SAFETY DIVISION**

PROPOSED AMENDMENTS TO 16	§	
TEX. ADMIN. CODE, CHAPTER 18,	§	
RELATING TO UNDERGROUND	§	GUD DOCKET NO. 10130
PIPELINE DAMAGE PREVENTION	§	

**COMMENTS OF CANADIAN RIVER MUNICIPAL WATER AUTHORITY ON PROPOSED
AMENDMENTS TO 16 TEX.ADMIN.CODE, CHAPTER 18, RELATING TO UNDERGROUND
PIPELINE DAMAGE PREVENTION**

Canadian River Municipal Water Authority (CRMWA) appreciates the opportunity to review and provide comments on the proposed amendments to 16 TAC Chapter 18 relating to Underground Pipeline Damage Prevention. CRMWA owns and operates approximately 400 miles of water pipeline, providing service to over 500,000 residents of the Texas Panhandle. CRMWA congratulates the Commission on its focus to improve these regulations; however, we have concerns provided below that we would appreciate your consideration before the next step of the amendment process. CRMWA's main concern is that there are some excavators who are abusing the system so badly that the viability of the system is threatened.

General Comments

With regard to §18.3(h), we agree with limiting a line locate ticket not to exceed 2,640 continuous linear feet. Better yet, we favor Texas Pipeline Association's recommendation to limit the size of a single ticket to 2,500 linear feet. CRMWA has experienced significant challenges in completing markings within the allowed time because some excavators list very large areas in a ticket. In fact, CRMWA is required to work with a company that keeps its entire well field cleared at all times so that it does not have to issue a line ticket prior to working on roads. This particular company averages about 72 square miles on each ticket and often times more than one ticket. In one instance CRMWA had two tickets to clear 131 square miles in 48 hours. This action is unreasonable and impossible. The excavator is exploiting the rules of this program for its convenience and at the expense of others.

CRMWA would support a requirement that tickets not be allowed to be submitted unless there will definitely be work performed in that particular area within the 14 day time period. Right now, an excavator can announce its intent work in an area with no penalty if the work does not occur. The intent of this program is to prevent pipeline damage, increase pipeline safety and to have reasonable limitations and rules in place so that the system works correctly. Making unreasonable, lengthy requests for areas which may not be

worked in 14 days prevents operators of pipeline to focus on the areas where work is actually being done. There needs to be a penalty for such abuse. There needs to be some incentive for the excavator to not needlessly submit tickets for its convenience to be able to work wherever and whenever the excavator desires at the expense of the operator. The effectiveness of the program is in jeopardy if CRMWA cannot feasibly perform the work in the allowed time frame.

Related to limiting the area in a line locate ticket, CRMWA would also support limiting the number of tickets. If a company has to limit an area per ticket, then it very well could bombard the operator with more tickets. Lastly regarding §18.3(h), CRMWA would recommend the requirement that GPS coordinates be used on every ticket because not all locate tickets involve linear projects and driving directions make it impossible at times to clear tickets.

CRMWA would also support the proposal to change the length of ticket life to 21 days and with the ability to extend the length of a ticket life on any project by agreement between the excavator and the operator. Extending the life ticket makes it easier on both the operator and excavator to fulfill respective requirements.

With regard to §18.8, CRMWA supports adding information to current markers to state pipe size, pipe material and easement allowance since the main goal of damage prevention is to protect pipelines. However, CRMWA also supports Texas Pipeline Association's recommendation that a mark be considered accurate if it is within the tolerance zone for the pipeline.

Conclusion

CRMWA is thankful for the opportunity to comment on the proposed amendments and respectfully requests that the Commission consider how to eliminate abuses of the pipeline damage prevention program as it moves forward with improvements to the regulations.