

The Staff of the Missouri Public Service Commission,
Complainant,
v.
Union Electric Company, d/b/a AmerenUE,
Respondent.

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Case No. GC-2006-_____

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the General Counsel, pursuant to § 386.390 RSMo 2000¹ and 4 CSR 240-2.070, and for its Complaint states as follows:

1. Section 386.390 (1) RSMo establishes, among other things, that parties may present a Complaint before the Missouri Public Service Commission (Commission) regarding any act or omission committed by any person, corporation or public utility. This statute also provides that the Complaint may be based upon any alleged violation of any provision of law or of any rule or decision of the Commission.

2. Commission Rule 4 CSR 240-2.070(1) provides, in part, that the Commission Staff has authority to file a Complaint through the General Counsel in connection with any violation of statute, rule, order or decision within the jurisdiction of the Commission.

3. Union Electric Company, d/b/a AmerenUE, is a “gas corporation” as is defined in §386.020(18) RSMo, and, as such, is a “public utility” subject to the Commission’s jurisdiction

pursuant to the terms of §386.020(42) RSMo. AmerenUE is also subject to the Commission's safety jurisdiction pursuant to the terms of §386.310 RSMo.

ALLEGATIONS

4. The Commission's Energy Department Safety/Engineering Staff (Staff) conducted an investigation to evaluate the circumstances surrounding the incident that occurred on October 10, 2005, in Boonville, Missouri, and has prepared and filed its *Gas Incident Report* in Case No. GS-2006-0199 on March 10, 2006. As a result of its investigations, the Staff has determined that the probable cause of the incident was the over-pressurization of the Boonville low-pressure system due to an operator error during a system conversion from low-pressure to high-pressure. AmerenUE owns and operates the natural gas distribution system in Boonville, Missouri.

5. On Monday, October 10, 2005, at approximately 11:35 a.m., a natural gas valve was opened to allow natural gas at a pressure of 10 psig to enter the main and service lines in the 1200 block of 6th Street. A low-pressure natural gas main on Roberts Street was still connected to the main on 6th Street, resulting in the unintended flow of natural gas from the 10 psig high-pressure system into the Boonville low-pressure system.

6. The Boonville low-pressure system was over-pressured above its maximum allowable operating pressure (MAOP)² of 14 inches of water column (approximately ½ psig) and increased in pressure towards 10 psig. This over-pressure caused low-pressure gas utilization equipment at numerous locations to begin operating in an unsafe manner, including instances of higher than normal flames and natural gas leaking from equipment components. Most of these

¹ All statutory references are to the Revised Statutes of Missouri, 2000, unless otherwise noted.

² MoPSC regulation 4 CSR 240-40.030(1)(B)16., defines the "maximum allowable operating pressure (MAOP)" as the maximum pressure at which a pipeline or segment of a pipeline may be operated.

equipment components were damaged by the over-pressurization and required repair or replacement.

7. Natural gas ignitions occurred at 603 4th Street, 1312 4th Street, 1313 4th Street, 500 Bingham Street, 519 High Street, 813 Morgan Street, 1303 Nelson Street, and 1400 Nelson Street. The most extensive fire and smoke damage occurred at 1312 4th Street. Varying levels of fire and smoke damage occurred at the other addresses. There were no injuries reported

8. The over-pressurization was caused by the failure of AmerenUE to direct its contractor to separate the low-pressure natural gas main on Roberts Street from the natural gas main on 6th Street before introducing high-pressure (10 psig) natural gas into the 6th Street main.

9. AmerenUE did not have adequate procedures in place to ensure that all main connections from the system being converted were separated from the low-pressure system or to monitor the pressures in both systems during the conversion.

10. The entire low-pressure system (MAOP of 14 inches of water column or approximately ½ psig) and the 10 psig system were shut down. The customers in these systems, and other customers who shut off their own service, resulted in a total outage of about 1,200 Boonville customers.

11. The Staff has determined that evidence exists to conclude that AmerenUE violated a Commission regulation regarding operating a natural gas system in excess of both the MAOP and the safe operating pressure for some of the connected natural gas utilization equipment. The system over-pressurization contributed to this incident by causing this natural gas utilization equipment to be over-pressured, resulting in some natural gas ignitions and fires. (see para. 7 above)

COUNT 1

12. Staff believes, based upon its investigation, that AmerenUE violated Commission Rule 4 CSR 240-40.030(12)(O)1.A. and B. in that AmerenUE caused an over-pressurization of a low pressure natural gas system in Boonville. Specifically, Staff alleges that AmerenUE failed to separate the low-pressure (approximately ½ psig) natural gas main on Roberts Street from the natural gas main on 6th Street before introducing high-pressure (10 psig) natural gas into the 6th Street main. Commission Rule 4 CSR 240-40.030(12)(O)1.A. and B. states in relevant part “No person may operate a low-pressure distribution system at a pressure greater than – A. A pressure high enough to make unsafe the operation of any connected and properly adjusted low-pressure gas utilization equipment; or B. An equivalent of fourteen inches (14”) water column.”

WHEREFORE, the Staff respectfully requests the Commission find that AmerenUE violated a Commission rule as alleged in Count 1 above, and further requests that the Commission authorize the Office of General Counsel to seek civil penalties in Circuit Court and order such other relief as the Commission may find just and reasonable.

Respectfully submitted,

/s/ Robert S. Berlin

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 10th day of March 2006.

/s/ **Robert S. Berlin**

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