

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS
Rulemaking Hearing
August 20, 2018
Jefferson City, Missouri
Volume 1

In The Matter Of The Amendment)
Of Natural Gas Safety Rules) File No. GX-2018-0279

NANCY DIPPELL, Presiding
SENIOR REGULATORY LAW JUDGE

DANIEL Y. HALL, Chairman,
COMMISSIONER

REPORTED BY:
Beverly Jean Bentch, CCR No. 640
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E X H I B I T I N D E X
OPC Exhibit 1 Letter from Office of the Public
Counsel
(Exhibit retained by Judge Dippell)

P R O C E E D I N G S

JUDGE DIPPELL: Let's go ahead and go on the record. This is Case No. GX-2018-0279 In The Matter of the Amendment of Natural Gas Safety Rules. These rules in particular are 4 CSR 240-3.270, 3.280, 3.290, 3.295, 40.020, 40.030, 40.080.

And we have come here today for a comment period. My name is Nancy Dippell. I'm the Regulatory Law Judge assigned to preside over this hearing. I will begin -- We have staff and public counsel present.

I'll begin by asking public counsel if they have comments they'd like to put on the record.

MR. WILLIAMS: Thank you, Judge. My name is Hampton Williams. I'm the Director of the Office of the Public Counsel. The comments I have regarding the proposed rulemakings are not on the proposal itself. Instead I prepared a letter that I'd like to submit with the record regarding the process regarding the incorporation of the federal standards.

There are -- It's a requirement as a part of Section 536 21. -- pardon me -- 031 that our administrative rules specifically identify what authority we're incorporating. There's an exception from that statute which identifies to federal standards for hospital licensure. Given that this also, the

1 federal standards for pipeline safety deal with safety
2 requirements, the Commission might consider in its
3 upcoming legislative session whether or not it would be
4 interested in trying to pursue a similar exception for
5 the purpose of incorporating federal pipeline safety
6 rules so that we don't have to have these annual
7 proceedings.

8 I understand that even in this proposal that
9 there are specifically identified -- I should say
10 nonincorporations of federal standards. I think that's
11 completely appropriate. I also understand in several of
12 these annual proceedings that there are changes beyond
13 simply the incorporation of the federal pipeline safety
14 standards that are considered in these proceedings.

15 To the extent that, you know, this annual
16 update may be somehow alleviated by just acknowledging
17 the incorporation of the federal pipeline safety
18 standards through statute and providing that exception
19 from 536's requirement, that might prove an
20 administrative efficiency and it might also reduce this
21 kind of six or eight month rulemaking lag that we have
22 regarding that.

23 With that stated, I've got copies here that
24 I'd like to submit to the Commission, if possible.

25 JUDGE DIPPELL: All right. I'll mark those as

1 Exhibit 1, and that is a letter you said?

2 MR. WILLIAMS: Yes, Judge.

3 JUDGE DIPPELL: So letter from public counsel
4 is Exhibit 1. Anything further?

5 MR. WILLIAMS: No, Your Honor.

6 JUDGE DIPPELL: All right. Are there any
7 comments from staff?

8 MR. KEEVIL: Judge, Jeff Keevil appearing on
9 behalf of the staff. I've given my contact information
10 to the reporter. Staff filed comments last week in
11 support of the proposed rescissions and amendments.
12 Really I have nothing further to add to those at this
13 time, but I do have potential witnesses here if the
14 Commission has any questions about any of the specifics.
15 So I'll leave it at that.

16 JUDGE DIPPELL: Mr. Chairman, any questions
17 for either party?

18 CHAIRMAN HALL: No questions. I'm just going
19 to reiterate my appreciation to staff for their hard
20 work in these rules in particular -- in specific but
21 also generally taking the Governor's Executive Order
22 seriously to look at streamlining all of our rules. I
23 think you have done an excellent job in that initiative,
24 and on behalf of the Commission I really want to express
25 our thanks for that hard work.

1 JUDGE DIPPELL: Is there anyone else present
2 that wants to give comments on this rule? Seeing none,
3 then I appreciate your participation today and we can go
4 off the record. This hearing is concluded.

5 (Off the record.)
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CERTIFICATE OF REPORTER

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