

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of a Waiver of Commission)
Rule 20 CSR 4240-40.030(12)(S) for All)
Missouri Natural Gas Distribution)
Companies And Municipal Gas Distribution)
Systems)

Case No. GE-2020-0297

**STAFF MOTION TO EXTEND THE COMMISSION'S
WAIVER OF 20 CSR 4240-40.030(12)(S)1.B. AS MODIFIED BY THE
COMMISSION'S JUNE 15, 2020 ORDER FOR ALL MISSOURI
NATURAL GAS DISTRIBUTION COMPANIES AND
MUNICIPAL GAS DISTRIBUTION SYSTEMS TO RUN CONCURRENTLY WITH
EXECUTIVE ORDER 20-02 THROUGH MARCH 31, 2021**

COMES NOW the Staff of the Missouri Public Service Commission by and through counsel, and for its *Motion*, states as follows:

1. As a result of the national emergency caused by the COVID-19 pandemic and originally addressed by the Governor in Executive Order 20-02 (issued March 13, 2020), and further addressed in part in subsequent Executive Orders, Staff recommends on its own motion that the Commission extend the effective date of the temporary waiver of 20 CSR 4240-40.030(12)(S)1.B. (the "Waiver") which was modified with certain conditions in the Commission's July 15, 2020 *Order Approving Waiver* (Order). That Order extended the effective date of the Waiver through December 30, 2020, and added certain conditions requiring the operators to keep documentation of customers who denied operator entry to properties due to reasons related to the COVID-19 pandemic.

2. Staff recommends that the effective date of the Waiver *as modified with conditions by the Commission's July 15, 2020 Order* be extended through March 31, 2021, to match the extended expiration date of Executive Order 20-12, at

which time Staff will make a filing addressing whether the Waiver should terminate or be extended with or without modification.

3. 20 CSR 4240-40.030(12)(S)1.states as follows:

(S) Providing Service to Customers.

1. At the time an operator physically turns on the flow of gas to a customer (see requirements in subsection (10)(J) for new fuel line installations)—

- A. Each segment of fuel line must be tested for leakage to at least the delivery pressure;

and

- B. A visual inspection of the exposed, accessible customer gas piping, interior and exterior, and all connected equipment shall be conducted to determine that the requirements of any applicable industry codes, standards, or procedures adopted by the operator to assure safe service are met. This visual inspection need not be met for emergency outages or curtailments. In the event a large commercial or industrial customer denies an operator access to the customer's premises, the operator does not need to comply with the above requirement if the operator obtains a signed statement from the customer stating that the customer will be responsible for inspecting its exposed, accessible gas piping, and all connected equipment, to determine that the piping and equipment meets any applicable codes, standards, or procedures adopted by the operator to assure safe service. In the event the customer denies an operator access to its premises and refuses to sign a statement as described above, the operator may file with the commission an application for waiver of compliance with this provision.

4. Conditions Approved in Commission's July 15, 2020 *Order Approving Waiver* and required of natural gas system operators to qualify for waiver of 20 CSR 4240-40.030(12)(S)1.B.

- A. The waiver shall only apply in instances where either the customer or the City/Company gas service technician has specific concerns related to COVID-19. Such concerns must be documented for each instance where the inspection required by 20 CSR 4240-40.030(12)(S)1.B. is not completed.

B. Beginning September 1, 2020, the waiver shall only apply in instances when the customer refuses entry to the gas service technician due to COVID-19 related concerns. Refusal of entry must be documented for each instance where the inspection required by 20 CSR 4240-40.030(12)(S)1.B. is not completed.

C. Documentation of decisions not to perform inspections required by 20 CSR 4240-40.030(12)(S)1.B. and customer refusal to allow entry shall be maintained by the operator for a minimum of five years, and shall be made available upon request to Commission Staff for inspection. Staff would prefer that the operator obtain written documentation from the customer, but realizes this may not be possible due to Covid-19 restrictions. Therefore, Staff recommends the City/Company receive written documentation from the customer whenever possible (i.e., customer has email). Where it is not possible to obtain written documentation from the customer, the City/Company shall document the date, time and name of customer along with a summary of the discussion.

D. Whenever an operator encounters a situation that requires the application of this waiver, the following additional actions shall be implemented to provide additional safety:

(1) If the meter turn on request is initiated by the customer contacting the operator, the operator must provide the customer with safety information during this initial contact. The information provided must include instructions on what to do if the customer smells gas, and an 800 or local phone number to call if customer has any questions after meter turned on.

(2) If the meter turn-on is required due to actions initiated by operator, the operator must either perform the inside inspections as required by (12)(S)1.B., or provide safety information including instructions on what to do if the customer smells gas and an 800 or local phone number to call if the customer has any questions using a door hanger or other method that avoids in-home contact.

(3) The operator shall conduct weekly odorant intensity tests, in accordance with the test requirements of 20 CSR 4240-40.030(12)(P)6, in areas where customer premises are not entered as required by 20 CSR 4240-40.030(12)(S)1.B.

5. Attached to this Motion is a service list for all Missouri natural gas distribution companies, municipal gas distribution systems, and natural gas operators covered by the proposed Waiver.

WHEREFORE, Staff respectfully requests the Commission approve this Motion and issue an order extending the effective date of the temporary waiver of 20 CSR 4240-40.030(12)(S)1.B. to be effective concurrently with Executive Order 20-02 through March 31, 2021, subject to the conditions ordered by the Commission in its July 15, 2020 *Order Approving Waiver*.

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 electronic mail to all counsel of record this 30th day of December 2020.

/s/ Robert S. Berlin