

**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 MODIFY WITH CONDITIONS THE COMMISSION'S
WAIVER OF 20 CSR 4240-40.030(12)(S)1.B. FOR ALL MISSOURI
NATURAL GAS DISTRIBUTION COMPANIES AND
MUNICIPAL GAS DISTRIBUTION SYSTEMS**

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 modify with conditions its temporary waiver of 20 CSR 4240-40.030(12)(S)1.B. which was granted in its May 25th *Order Approving Waiver* (Order). That Order temporarily waived ("Waiver"), the requirements for operators of intrastate natural gas pipelines in Missouri to comply with the requirements of 20 CSR 4240-40.030(12)(S)1.B., a rule which requires operators to visually inspect interior and exterior accessible customer gas piping and all connected equipment at the time an operator physically turns on the flow of gas to a customer.

2. The rationale for approval of the Waiver was due to the risk of operator employee exposure to the COVID-19 virus that could result from the customer contact necessary to gaining access and entering inside homes and businesses.

As the state's response to various aspects of the pandemic has evolved and changed through subsequent Executive Orders, so has Staff's recommendation regarding the application of the Waiver. Staff proposes to modify the Waiver with certain conditions intended to assure the Waiver serves the best interest of public safety. Staff notes the original Waiver, and the proposed modified waiver with conditions set forth in this Motion, do not apply to 20 CSR 4240-40.030(12)(S)1.A., which requires that the operator also test each segment of fuel line for leakage to at least the delivery pressure. The Waiver and proposed conditions also do not apply to 20 CSR 4240-40.030(12)(S)2., 3., or 4., requiring respectively that operators provide safety information to new or relocated customers, discontinue service to any customer whose fuel lines or gas utilization equipment are determined to be unsafe, and maintain records of tests and inspections conducted. Further, 20 CSR 4240-40.030(12)(S)1.B. is not a federal requirement included in 49 CFR Part 192; thus operators would remain in compliance with federal pipeline safety standards while the modified Waiver is in effect.

3. Staff recommends that the modified Waiver be effective through December 30, 2020 (to match the expiration date of Executive Order 20-12) at which time Staff will make a filing addressing whether the modified Waiver should terminate or be extended with or without modification.

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: Staff proposes the following conditions be 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 modifying the temporary waiver of 20 CSR 4240-40.030(12)(S)1.B. to be effective 10 days from issuance and to run through December 30, 2020, subject to the above-listed Conditions.

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 22nd day of June 2020.

/s/ Robert S. Berlin

MISSOURI PUBLIC SERVICE COMMISSION

August 15, 2019

File/Case No. GE-2020-0297

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City Utilities of Springfield, Missouri

Legal Department
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P.O. Box 551
Springfield, MO 65801
info@cityutilities.net

Dogwood Energy, LLC

Attn: EH&S Coordinator
P.O. Box 110
Pleasant Hill, MO 64080

Empire District Gas Company, The

Legal Department
P.O. Box 127
602 S. Joplin Avenue
Joplin, MO 64802

Liberty Utilities (MNG)

Legal Department
2751 North High Street
Jackson, MO 63755

Spire, Inc.

Legal Department
700 Market Street, 6th Floor
St. Louis, MO 63101

Summit Natural Gas of Missouri, Inc.

Legal Department
2 Delorme Drive, Suite 100
Yarmouth, ME 04096

Union Electric Company

Legal Department
1901 Chouteau Avenue
P.O. Box 66149, Mail Code 1310
St. Louis, MO 63166
AmerenMOS@ameren.com

Albany Municipal Gas System

Attn: City Administrator
106 E. Clay Street
Albany, MO 64402

Altenburg-Frohna Municipal Gas System

Attn: Mayor of Frohna
Joint Utilities Gas Department
Frohna, MO 63748

Altenburg-Frohna Municipal Gas System

Attn: Utility Safety & Design, Inc.
#9 Executive Woods Court, Ste. 1
Belleville, IL 62226

Altenburg-Frohna Municipal Gas System

Attn: Mayor of Altenburg
9144 Main Street
P.O. Box 22
Altenburg, MO 63732

Amber Glenn Apartments

Attn: Mr. Jesse Da Villa
Mr. Allan Sheehy
2977 Highway K, Ste. 239
O'Fallon, MO 63368

Ameresco

Attn: Manager of Operations
111 Speen St. Ste. 410
Framingham, MO 01701

Bernie Municipal Gas System

Attn: Mayor of Bernie
P.O. Box 605
101 W. Main Street
Bernie, MO 63822

Bethany Municipal Gas System

Attn: City Administrator
P.O. Box 344
206 N. 16th Street
Bethany, MO 64424

Bismark Municipal Gas System

Attn: Mayor of Bismark
P.O. Box 27
924 Center Street
Bethany, MO 63624

Clarence Municipal Gas System

Attn: Mayor of Clarence
P.O. Box 9
Clarence, MO 63437

Cuba Municipal Gas System

Attn: Mayor of Cuba
City Hall
P.O. Box K
202 N. Smith Street
Cuba, MO 65453

Dogwood Energy, LLC

Attn: Utility Safety & Design, Inc.
P.O. Box 206
28847 Highway 136
Unionville, MO 63565

Fulton Municipal Gas System

Attn: Director of Administration
P.O. Box 130
4th & Market Streets
Fulton, MO 65251

Granby Municipal Gas System

Attn: Mayor of Granby
P.O. Box 500
302 N. Main Street
Granby, MO 64844

Grant City Municipal Gas System

Attn: Mayor of Grant City
101 W. 3rd Street
P.O. Box 398
Grant City, MO 64456

Green City Municipal Gas System

Attn: Mayor of Green City
P.O. Box 235
#4 Green Street
Green City, MO 63545

Green City Municipal Gas System

Attn: Utility Safety & Design, Inc.
P.O. Box 206
28847 Hwy. 136
Unionville, MO 63565

Hermann Municipal Gas System

Attn: Public Works Director
1902 Jefferson Street
Hermann, MO 65041

John Knox Village

Attn: Manager of Facilities
400 NW Murray Rd.
Lee's Summit, MO 64081

Kennett Municipal Gas System

Attn: Superintendent of Utilities
P.O. Box 40
303 S. Anthony
Kennett, MO 63857

Ladsonia Ethanol Plant

Attn: CFO and VP of Admin Services
Missouri Public Utility Alliance
1808 I-70 Dr., S.W.
Columbia, MO 65203

Liberal Municipal Gas System

Attn: Mayor of Liberal
P.O. Box 67
209 S. Main Street
Liberal, MO 64762

Linden Mobil Home Park

Attn: Mr. Jim Janecek
400 NE 76th Terrace
Kansas City, MO 64118

Macon Municipal Gas System

Attn: Mayor of Macon
P.O. Box 569
106 W. Bourke Street
Macon, MO 63552

Madison Municipal Gas System

Attn: Mayor of Madison
P.O. Box 141
209 S. Main Street
Madison, MO 65263

Marshall Municipal Utilities

Attn: Underground Facilities Director
75 East Morgan Street
Marshall, MO 65340

Mercer Municipal Gas System

Attn: Mayor of Mercer
City Hall
14402 State Street
Mercer, MO 64661

Middletown Municipal Gas System

Attn: Mayor of Middletown
City Hall
P.O. Box 127
203 Johnson Street
Middletown, MO 63359

Mid-Missouri Energy

Attn: Ryland Utlaut, President
15311 N. Saline 65 Hwy.
Melta Bend, MO 65339

Milan Municipal Gas System

Attn: Mayor of Milan
City Hall
P.O. Box 247
212 East Second Street
Milan, MO 63556

Monroe City Municipal Gas System

Attn: Mayor of Monroe City
City Hall
109 2nd Street
Monroe City, MO 63456

Montgomery City Municipal Gas System

Attn: Mayor of Montgomery City
723 North Sturgeon Street
Montgomery City, MO 63361

New Florence Municipal Gas System

Attn: Mayor of New Florence
P.O. Box 70
217 South Main Street
New Florence, MO 63363

New Haven and Berger Municipal Gas System

Attn: Mayor of Berger
404 Rosalie
Berger, MO 63014

New Haven Berger Municipal Gas System

Attn: Mayor of New Haven
City Hall
101 Front Street
New Haven, MO 63068

Perryville Municipal Gas System

Attn: City Administrator
215 North West Street
Perryville, MO 63775

Oakridge Apartments

Attn: Ms. Deana Breznik
Director of Asset Management
Gardner Capitol
8000 Maryland Ave., Ste. 300
St. Louis, MO 63105

Omega Pipeline Company

Attn: DPW
Bldg. 2222
1334 First Street
Ft. Leonard Wood, MO 65473

Oronogo Municipal Gas System

Attn: Mayor of Oronogo
P.O. Box 201
653 E. Central Street
Oronogo, MO 64855

Perry Municipal Gas System

Attn: Mayor
P.O. Box 280
127 E. Main Street
Perry, MO 63462

Paris Municipal Gas System

Attn: City Superintendent
112 S. Main
Paris, MO 65275

Plattsburg Municipal Gas System

Attn: City Administrator
114 Maple Street
Plattsburg, MO 64477

Potosi Municipal Gas System

Attn: Mayor
121 E. High Street
Potosi, MO 63664

Princeton Municipal Gas System

Attn: Mayor of Princeton
City Hall
507 West Main Street
Princeton, MO 64673

Richland Municipal Gas System

Attn: Mayor of Richland
P.O. Box 798
Richland, MO 65556

Scottsdale Apartments

Attn: Ms. K.C. Cowan
The Woolen Company, LLC
1675 East Seminole, Ste. B
Springfield, MO 65804

Shelbina Municipal Gas System

Attn: Mayor of Shelbina
P.O. Box 646
116 East Walnut
Shelbina, MO 63468

Show-Me Ethanol, LLC

Attn: General Manager
26530 Hwy., 24 E.
Carrollton, MO 64633

Roeslein & Associates, Inc.

Attn: President & COO
9200 Watson Rd., Ste. 200
St. Louis, MO 63126

St. James Municipal Gas System

Attn: Mayor of St. James
P.O. Box 426
200 N. Bourbeuse Street
St. James, MO 65559

St. Robert Municipal Gas System

Attn: Mayor of St. Robert
194 Eastlawn Ave., Ste. A
St. Robert, MO 65584

Stanberry Municipal Gas System

Attn: City Administrator
130 W. First Street
Stanberry, MO 64489

The Talisman Condominiums

Attn: Chris Gripe
Centennial Management & KC
Properties Construction
P.O. Box 15142
Shawnee Mission, KS 66285

Ashley Energy, LLC

Attn: Operations Manager
One Ashley Place
St. Louis, MO 63102

Unionville Municipal Gas System

Attn: Mayor of Unionville
P.O. Box 255
1611 Grant Street
Unionville, MO 63565

Unionville Municipal Gas System

Attn: Utility Safety & Design
Vice President of Engineering
P.O. Box 206
28847 Hwy. 136
Unionville, MO 63565

Waynesville Municipal Gas System

Attn: City Administrator
100 Tremont Drive
Waynesville, MO 65583

Wheaton Municipal Gas System

Attn: Mayor of Wheaton
P.O. Box 70
219 E. Main Street
Wheaton, MO 64874

Mahanalm Bible Training Center

Attn: Owner
3000 North Grant Ave.
Springfield, MO 65803