

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

In the Matter of the Application of)
Roeslein Alternate Energy, LLC for a) File No. GE-2023-0201
Permanent Waiver From Certain Provisions)
of 20 CSR 4240-40.030 (Badger-Wolf line))

**MOTION FOR LEAVE TO AMEND APPLICATION FOR WAIVERS AND
AMENDMENT TO APPLICATION FOR WAIVERS**

COMES NOW Roeslein Alternative Energy Services, LLC (“RAES” or “Company”), by and through its undersigned counsel, and, for its *Motion for Leave to Amend Application for Waivers and Amendment to Application for Waivers*, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

MOTION FOR LEAVE TO AMEND

1. On December 22, 2022, RAES filed an application with the Commission *Application for Waivers* (“Application”) requesting waivers from certain gas pressurization and odorization requirements under 20 CSR 4240-40.030 for its operation of a gas transmission line in Sullivan and Mercer Counties. RAES also requested a waiver from the Commission’s 60-day notice rule.

2. On December 27, 2022, the Commission issued its *Order Directing and Setting Deadlines for Intervention Applications and Staff’s Recommendation*, directing Staff to file either its recommendation or a status report no later than January 30, 2023.

3. Subsequently, after discussion between Staff and RAES personnel, it was discovered that RAES’ Application contains several errors and redundancies in the “Conditions” portion of the Application.

4. Commission Rule 20 CSR 4240-2.080(18) provides, in part, that a pleading may be amended any time by leave of the Commission. RAES asserts that

correction of the Application and avoidance of further error or confusion constitutes good cause shown for granting leave to amend.

AMENDMENT TO APPLICATION

5. The amendment to the Application corrects the Conditions section. Other than these corrections, the original Application remains unchanged.

6. RAES request that paragraph 20 of the Application be amended to read as follows:

“20. In conjunction with a grant of the waiver requested herein, RAES recommends that the Commission include the following conditions:

MAOP and Odorization

a. RAES may not serve any Missouri customers from this pipeline without prior Commission approval;

b. To the extent that placement of pipeline markers does not interfere with soil or crop cultivation, RAES shall install additional pipeline markers to provide markers at a minimum of line-of-sight distance along the length of the pipeline;

c. RAES shall perform a minimum 8 hour pressure test in accordance with 20 CSR 4240-40.030(12)(M)1.B.(I) and 20 CSR 4240-40.030(10)(G) for the intrastate transmission pipeline from the Badger-Wolf Farm to a point of injection on the existing Somerset line to establish a MAOP of 125 psig;

d. If natural gas is used as the test medium in the pressure test conducted in accordance with the requirements of 20 CSR 4240-40.030(10)(G), RAES shall develop and follow a written procedure to conduct the testing in a manner consistent with protecting public safety, including but not limited to continuous monitoring of pressure gauges during the test to detect indications of leakage, and monitoring for leakage along the pipeline right-of way during the testing. A copy of this written procedure will be provided to Commission Staff for review prior to conducting the test;

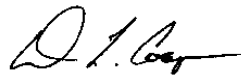
e. RAES shall conduct a leakage survey before and after the pressure test to 188 psig from the Badger-Wolf Farm to the point of injection with the existing Somerset Line to establish a MAOP of 125 psig;

- f. All leaks from the leakage surveys must be repaired prior to operating above 100 psig;
- g. RAES shall install and utilize instrumentation to continuously monitor and record the temperature of all gas sources prior to introduction into the pipeline;
- h. RAES shall utilize automatic controls to limit the temperature of all gas sources introduced into the pipeline to no higher than 73°F;
- i. RAES shall conduct leakage surveys with instrumented gas leakage detection equipment and patrols along the entire length of the pipeline at intervals not exceeding four and one-half (4½) months, but at least four (4) times per calendar year;
- j. Each detected leak indication or any leak call from the general public, police, fire or other authorities or notification of damage to facilities by contractors or other outside sources shall require immediate investigation and classification as required in 20 CSR 4240-40.030(14);
- k. Leaks shall be repaired as required in 20 CSR 4240-40.030(14), except that any Class 2 and Class 3 leaks must be repaired within 15 days. All Class 1 leaks shall require immediate corrective action;
- l. RAES shall conduct a class location study that includes the identification of any new High Consequence Areas (HCAs) and Moderate Consequence Areas (MCAs) of the RAES transmission pipeline annually, notifying Commission Staff of any class location changes within 30 days of discovery;
- m. Whenever RAES is made aware (through notification by Missouri One Call, or other source) that its pipeline lies within the area described in the notice of excavation, or is within two (2) feet of such area, in addition to following the requirements of RSMo Chapter 319 to locate its line, RAES will have personnel onsite monitoring for damages to its pipeline during excavation work; and
- n. This waiver of compliance is only applicable to the approximately 13.3 mile long intrastate gas transmission pipeline described in the RAES Application. In the event any additional segment of PE pipeline is connected to this pipeline, RAES must seek a modification of this waiver in order to operate any additional segment of PE pipeline above 100 psig.
- o. RAES shall notify Commission Staff no fewer than 60 days before starting construction on any new gas pipeline. “

7. Counsel for the Staff of the Commission and the Office of the Public Counsel have indicated that their clients have no objection to this Motion.

WHEREFORE, Roeslein Alternative Energy Services, LLC respectfully requests that the Commission issue its order granting it leave to amend its Application as described herein.

Respectfully submitted,



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ATTORNEYS FOR ROESLEIN ALTERNATIVE
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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail to the following counsel this 27th day of January, 2023:

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