

Missouri Public Service Commission

Staff's Incident Report

## **APPENDIX C**

### **COPIES OF REFERENCED DOCUMENTS**

Spire Missouri Inc.  
(Formerly known as “Laclede Gas Company”)  
and  
Gateway Infrastructure, LLC

*Industry Analysis Division  
Safety Engineering Department  
Jefferson City, Missouri*

## APPENDIX C

### Referenced Documents

- C-1: October 12, 2007 Missouri Public Service Commission Advisory to Electric Corporations, Telecommunications Companies, and Rural Electric Cooperatives
- C-2: Draft Example Updated Advisory to Telecommunications Companies



Commissioners

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## Missouri Public Service Commission

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October 12, 2007

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To: Electric Corporations, Telecommunications Companies, and Rural Electric Cooperatives

Subject: Commission Advisory Regarding Installation of Underground Cable or Conduit

Advisory Topics:

- 1) Natural Gas Incident in Fenton
- 2) Commission Rules Regarding Conduit/Cable Installation
- 3) Missouri Statutes Regarding Excavations
- 4) Federal Law to Call 911

1) Natural Gas Incident in Fenton

In the past several years, multiple natural gas incidents have occurred when a natural gas pipeline was damaged by the installation of an underground conduit or cable using horizontal boring. On September 12, 2006, a natural gas explosion and fire occurred at a home in Fenton, Missouri. This incident resulted when a contractor for the electric utility was using horizontal directional drilling equipment to install conduit and drilled through the natural gas main. A *Gas Incident Report* was filed by the Missouri Public Service Commission Staff in Case No. GS-2007-0130 and included three recommendations to the electric utility. The electric utility and involved contractor have modified their procedures based on this incident and recommendations. If additional information is desired, please refer to the documents filed in Case No. GS-2007-0130 (use EFIS at [www.psc.mo.gov](http://www.psc.mo.gov)).

2) Commission Rules Regarding Conduit/Cable Installation

The Missouri Public Service Commission is issuing this reminder that underground conduits/cables must be installed in a safe manner to avoid damaging underground facilities. Many damages to natural gas pipelines and other underground facilities can be prevented by using proper excavation techniques and following applicable Missouri statutes and rules. The Commission rules are available at [www.psc.mo.gov](http://www.psc.mo.gov) and must be followed even if the facilities are installed by a contractor on your behalf.

Commission Rule 4 CSR 240-18.010 prescribes minimum safety standards relating to the operation of electric utilities, telecommunication companies and rural electric cooperatives. Section (1) adopts portions of the 2002 Edition of the National Electric Safety Code (NESC),

including Part 3 that contains safety rules for underground electric and communication lines. These requirements include provisions for separation of conduits and cables from other underground facilities. Subsections (15)(C) and (15)(E) of Commission Rule 4 CSR 240-32.060 require telecommunication cables to be installed without causing unnecessary damage to other property and in compliance with *Missouri Revised Statutes*, Chapter 319, sections 319.010 through 319.075.

### 3) Missouri Statutes Regarding Excavations

The *Missouri Revised Statutes* include the "Underground Facility Safety and Damage Prevention Act" in RSMo Sections 319.015 to 319.050. Excavators must call Missouri One-Call before excavating as required by Section 319.025. Information about these statutes and Missouri One-Call is available at [www.mo1call.com](http://www.mo1call.com). Section 319.035 imposes a general requirement that excavations be conducted in a careful and prudent manner. Excavation is defined in Section 319.015 and includes backfilling, trenching, digging, ditching, drilling, augering, boring, cable or pipe plowing, plowing-in, and pulling-in. Section 319.045 requires the excavator to notify Missouri One-Call if an underground facility is damaged.

Section 319.037 specifically deals with underground installations using horizontal boring equipment such as directional drilling. The excavator must make "careful and prudent efforts to confirm the horizontal and vertical location" of an underground facility when using horizontal boring in the "marked approximate location" of an underground facility. This can be performed with methods such as potholing. A pothole is a hole dug by non-mechanical means (e.g., hand-dig, soft-dig with air tools) to expose an underground facility to verify its location and depth, and allows visual confirmation that the underground facility is not damaged by the boring device.

### 4) Federal Law to Call 911

If a natural gas facility is damaged and gas is escaping, a recently enacted Federal law (PIPES Act of 2006) requires the excavator to promptly call 911 in addition to contacting the gas facility owner or operator.

The Commission is sending this advisory notice in response to a recommendation in Case No. GS-2007-0130. I appreciate your assistance in distributing this letter to the appropriate personnel. If you have any questions, please do not hesitate to contact Bob Leonberger in the Commission's Gas Safety Section at 573-751-3456.

Sincerely,



Wess Henderson, Executive Director  
Missouri Public Service Commission

## DRAFT ADVISORY NOTICE

To: Telecommunications Companies

Subject: Advisory Regarding Installation of Underground Cable and Conduit

Advisory Topics:

- 1) Background and Purpose of Advisory
- 2) Commission Rules Regarding Conduit and Cable Installation
- 3) Missouri Statutes Regarding Excavations

### 1) Background and Purpose of Advisory

On March 1, 2022, in O'Fallon Missouri, a natural gas pipeline was damaged during installation of a fiber line by horizontal directional drilling. Gas escaping from the damaged pipeline migrated underground and into nearby residences. One residence exploded, and others were damaged.

Underground conduits and cables must be installed in a safe manner to avoid damaging existing underground facilities. Many damages to natural gas pipelines and other underground facilities can be prevented by using proper excavation techniques and following applicable Missouri statutes and rules. The purpose of this advisory is to remind telephone utilities of the applicable requirements, which if followed, will help prevent incidents such as the one that occurred in O'Fallon Missouri.

### 2) Commission Rule Regarding Conduit and Cable Installation

The Commission rules are available at [www.psc.mo.gov](http://www.psc.mo.gov). These rules must be followed even if the facilities are installed by a contractor performing the installation on your behalf.

Commission Rule 20 CSR 4240-18.010 prescribes minimum safety standards relating to the operation of electric utilities, telecommunication companies and rural electric cooperatives.

- Section (1) adopts portions of the 2017 Edition of the National Electric Safety Code (NESC), including Part 3 that contains safety rules for underground electric and communication lines. These requirements include provisions for separation of conduits and cables from other underground facilities.
- Section (4) requires those who excavate near underground facilities to notify area utilities prior to engaging in such action, pursuant to the Underground Facility Safety and Damage Prevention Act, section 319.010, RSMo.

### 3) Missouri Statutes Regarding Excavations

The Missouri Revised Statutes include the “Underground Facility Safety and Damage Prevention Act” in RSMo Sections 319.015 to 319.050.

Excavators must notify Missouri 811 before excavating as required by Section 319.025.

Information about these statutes and Missouri 811 is available at <https://missouri-811.org>.

Additionally:

- Section 319.035 imposes a general requirement that excavations be conducted in a careful and prudent manner. Excavation is defined in Section 319.015 and includes backfilling, trenching, digging, ditching, drilling, augering, boring, cable or pipe plowing, plowing-in, and pulling-in.
- Section 319.037 specifically addresses requirements for underground installations using trenchless excavation, including horizontal boring equipment. The excavator must make “careful and prudent efforts to confirm the horizontal and vertical location” of an underground facility when using horizontal boring in the “marked approximate location” of an underground facility. This can be performed with methods such as potholing. A pothole is a hole dug by non-mechanical means (e.g., hand-dig, soft-dig with air tools) to expose an underground facility to verify its location and depth, and allows visual confirmation that the underground facility is not damaged by the boring device. For excavations paralleling the underground facility, such efforts to confirm the location of the facility shall be made at careful and prudent intervals.
- Section 319.026 addresses actions to be taken if an underground facility is damaged or contacted, including immediate notification to 911 when any damage or contact with a pipeline results in a release from the pipeline of hazardous liquid or gas to occur. Notification to Missouri 811 is also required.