

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 12th
day of August, 1993.

In the matter of the application of the city of Hermann,)
Missouri, for a temporary waiver from certain of the) Case No. GO-94-49
provisions of 4 CSR 240-40.030.)
)

ORDER GRANTING WAIVER

On August 11, 1993, the city of Hermann, Missouri (City) filed an application requesting the Commission waive the safety requirements of 4 CSR 240-40.030(7)(K)1., which corresponds to Federal Safety Standards at 4 C.F.R. Part 192.32(a), which require that plastic pipe be installed below ground. City states that the original section of gas pipeline supplying natural gas to its own residents and those of Berger and New Haven, Missouri, has been damaged by the recent flooding which washed out the highway where the pipeline was buried. City proposes to lay approximately 1,500 to 2,000 feet of two-inch polyethylene plastic pipe above ground to temporarily supply gas on an emergency basis. City states further that restoration of gas service to the area is of great importance and that the line will be well-marked and patrolled.

On August 11, 1993, Commission Staff filed a memorandum concerning City's waiver request. Staff indicates that gas service was shut off to City and the other communities on August 6, 1993 due to the damage caused by the flood. Staff indicates it has contacted the United States Department of Transportation (DOT) and has verbal approval for the waiver to use the plastic pipe aboveground. Staff states that a formal application will need to be made to DOT to get an official waiver.

Staff indicates it has inspected the installation of the plastic pipe and plans to inspect the site at least weekly. In addition, Staff indicates that

barriers and markers will be in place and that the plastic pipe being used and the pressure in the pipe meet federal and Commission regulations. Based upon these factors, Staff states it believes adequate safety precautions are being taken.

The Commission has reviewed the application and Staff's memorandum. Based upon City's averments and Staff's inspection and recommendation, the Commission will grant the waiver. The Commission is aware that restoration of gas service to communities is a high priority but the Commission is also aware that safety is the first concern for reintroducing the supply of natural gas. The precautions taken by City and other officials appear to be sufficient to ensure a safe supply of gas. The Commission believes Staff should inspect the installation and pipeline weekly as intended and if the above-ground plastic pipe is utilized for more than 30 days, that Staff should file a follow-up report concerning the safety of the pipe. In addition, the Commission will order that the appropriate information be forwarded to DOT Office of Pipeline Safety (OPS).

IT IS THEREFORE ORDERED:

1. That the city of Hermann, Missouri, be hereby granted a waiver of Commission rule 4 CSR 240-40.030(7)(K)1. to construct a two-inch polyethylene plastic pipe above ground as described in its application.
2. That Commission Staff shall forward a copy of the appropriate documents concerning the waiver, including a copy of this order, to the DOT-OPS Central Region office in Kansas City, Missouri.
3. That Commission Staff shall file a follow-up report if the plastic pipe is in service more than thirty (30) days.

4. That this order shall become effective on the date hereof.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Executive Secretary

(S E A L)

McClure, Perkins and Kincheloe,
CC., concur.
Mueller, Chm., and Crumpton, C.,
absent.