

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 19th
day of July, 1994.

In the matter of the application of)
Missouri Public Service for a temporary) CASE NO. GO-95-12
waiver from certain of the provisions)
of 4 CSR 240-40.030.)

ORDER GRANTING TEMPORARY WAIVER

On July 15, 1994, Missouri Public Service (MoPub or company) filed an Application For Waiver, requesting that the Commission waive temporarily the safety requirements of 4 CSR 240-40.030(7)(K)1., which requires plastic pipe to be installed below ground level. 4 CSR 240-40.030(7)(K)1. corresponds to the minimum Federal Safety Standards of 49 CFR Part 192.321(a). MoPub requested a temporary waiver of this standard in order to respond to an emergency situation.

MoPub states that, on July 13, 1994, a barge struck the Missouri Highway 13 Bridge over the Missouri River, damaging the 6-inch steel natural gas pipeline attached to the bridge. The steel pipeline, which is the sole feed for gas service to Henrietta and Richmond, Missouri, had to be taken out of service. MoPub was able to restore service to critical customers by the use of tankers, but the company states that the only reasonable solution for restoring gas service in a reasonable time period is to install a temporary polyethylene (PE) line. MoPub proposes to lay approximately 3200 feet of 2-inch PE plastic pipe temporarily aboveground and along the Lexington Bridge. The company will patrol the line daily in order to protect it from external damage. The company further states that granting the waiver is in the public interest in that it will allow MoPub to continue to provide service to the affected customers, and that the waiver is not inconsistent with gas pipeline safety.

MoPub cites as precedent for this waiver a similar grant to the City of Hermann, GO-94-49, to permit the temporary installation of plastic pipe aboveground in response to an emergency situation created by flooding. MoPub also cites to the August 31, 1992, regulator review of gas pipeline safety standards (Docket PS-124: Notice 1) where RSPA recommended that Section 192.321 of the Federal Pipeline Safety Regulations be modified to allow plastic pipe to be installed aboveground for up to 30 days, where the pipeline could be protected from damage and where safety would not be compromised.

The Commission's Staff (Staff) filed a memorandum setting out its recommendation on July 18, 1994. Staff states that company personnel consulted with the Commission's Gas Safety Staff personnel on July 14, 1994, and that Staff contacted the U.S. Department of Transportation - Office of Pipeline Safety (OPS-DOT) in Washington, D.C. on July 15, 1994. Staff states that OPS-DOT personnel agreed with Staff that the temporary use of PE aboveground is an appropriate means of restoring service in this emergency situation. Commission Gas Safety Staff personnel inspected the site on July 15, 1994, and concluded that adequate safety precautions are being taken by the company. The Staff recommended that the Commission grant the company a waiver of compliance from 4 CSR 240-40.030(7)(K)1., which corresponds to 49 CFR Part 192.321(a).

Having reviewed the Application for Waiver and Staff's memorandum, the Commission finds that an emergency situation exists which justifies a waiver of compliance from 4 CSR 240-40.030(7)(K)1., which corresponds to 49 CFR Part 192.321(a), requiring that plastic pipe be installed below ground. The Commission believes that the company's plan to lay a temporary line aboveground in order to restore service is reasonable, provided the company continues daily inspection as proposed. The Commission believes the Commission Gas Safety Staff personnel should continue to inspect the temporary line and the company's testing and patrolling procedures on a periodic basis as long as the line is in

operation in order to ensure safety. The Commission further finds that Staff should file a follow-up report concerning the safety of the pipeline if the aboveground plastic pipe is used for more than thirty (30) days, and that the appropriate information should be forwarded to the U.S. Department of Transportation - Office of Pipeline Safety.

IT IS THEREFORE ORDERED:

1. That Missouri Public Service be granted a waiver of Commission Rule 4 CSR 240-40.030(7)(K)1. to construct a 2-inch diameter polyethylene plastic pipe aboveground 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 U.S. Department of Transportation - Office of Pipeline Safety, 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



David L. Rauch
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Perkins,
Kincheloe and Crumpton, CC., Concur.