

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 21st
day of November, 1995.

Application to rescind waiver granted to the)
City of Fulton from Rule 4 CSR 240-030(13)(M)2.B.) CASE NO. GO-95-370
due to revision of Rule 4 CSR 240-40.030.)

ORDER RESCINDING WAIVER

In Case No. GO-91-357, the Commission granted the City of Fulton, Missouri (Fulton) a waiver from the provisions of 4 CSR 240-40.030(13)(M)2.B. which required distribution system operators to conduct instrument leak-detection surveys of unprotected steel pipelines and buried fuel lines at intervals not exceeding fifteen months, but at least once each calendar year, and of all other pipelines and buried fuel lines every three years. The Commission granted Fulton a waiver of the requirement to conduct leakage surveys of customer-owned buried fuel lines.

On May 28, 1995, amendments to 4 CSR 240-40.030 became effective. Paragraph (13)(M)2.B. has been amended so that distribution system operators are required to perform leak-detection surveys on buried fuel lines operating above low pressure at residential, small commercial, and public buildings, and on all buried fuel lines at institutional buildings such as hospitals and schools, at an interval not exceeding 39 months, but at least once every three years. The amendments also provide for perimeter surveys to be conducted parallel to the building nearest the meter location along the closest adjacent side.

On May 15, 1995, the Staff of the Commission (Staff) filed a motion requesting that the waiver granted to Fulton be rescinded. Staff

states that the waiver is no longer necessary because the revised rule incorporates the significant provisions of the waiver.

Notice of Staff's motion was provided and responses were directed to be filed on or before July 11, 1995. Upon Staff's request, the deadline for responding to Staff's motion was extended to August 15, 1995. No responses to Staff's motion were filed.

Upon review of Staff's motion, the Commission finds that the amendments to 4 CSR 240-40.030 incorporate the significant provisions of the waiver granted to Fulton. Thus, the Commission determines that the waiver granted to Fulton is unnecessary and should be rescinded.

IT IS THEREFORE ORDERED:

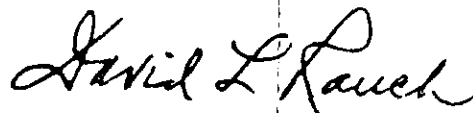
1. That the motion filed by the Staff of the Commission to rescind the waiver of 4 CSR 240-40.030(13)(M)2.B. granted to the City of Fulton, Missouri is hereby granted.

2. That the waiver from the provisions of 4 CSR 240-40.030(13)(M)2.B. granted to the City of Fulton, Missouri in Case No. GO-91-357 is hereby rescinded.

3. That a copy of this Order shall be filed in the official case file of Case No. GO-91-357.

4. That this Order shall become effective on December 1, 1995.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

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