

**COMMENTS OF THE CITY OF ST. LOUIS WATER DIVISION
ON PROPOSED CHANGES TO CHAPTER 319 RSMO**

The City of St. Louis Water Division is a municipally owned drinking water utility providing service to the City of St. Louis since 1835.

The City of St. Louis Water Division appreciates this opportunity to submit the following comments concerning the Missouri Public Service Commission's proposed legislative changes to Chapter 319 RSMo.

319.015(6) and 319.026(6) – “Extended Excavation Project & Ticket Life”

The City of St. Louis Water Division does not object to the current provision. We think it would be simpler and more practical to have one ticket life of 30 days.

319.026 – “Excavation Completion Notices”

Requiring the excavator to give a project completion notice to the notification center and the subsequent notification of the center participants will increase costs to the excavator and owners which will ultimately be passed onto the customer without a mark improvement in safety. The City of St. Louis Water Division is not supportive of this provision.

319.030.9 – “Marking Completion Notices”

The City of St. Louis Water Division does not support this provision. This is a costly and unnecessary provision when current practice is adequate.

319.032 – “Sewer Laterals Location”

The issue that this provision addresses is problematic and it's wording reflects it. As some level it puts responsibility onto a underground facility owner for locating property they do not control, own or have sure knowledge of the lateral's location of run. A “Good Faith” effort by the underground facility owner may give the excavator a false sense of security.

319.040.2 – “Presumption of Negligence of Facility Owner”

What constitutes a “failure” of an underground facility owner to respond to a notice of intent to excavate is not adequately defined and needs to be or it should not be part of the proposed changes.

Johansen, Dale

From: Curt Skouby [cskouby@stlwater.com]
Sent: Friday, May 14, 2010 1:40 PM
To: Johansen, Dale
Subject: Re: MO PSC Chapter 319 Revisions Project
Attachments: COMMENTS OF THE CITY OF ST. LOUIS 5.4.10.doc

Mr. Johansen,

Thank you for bringing this to my attention. Attached you will find our comments. I hope that they will be helpful.

Curt Skouby

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On 5/14/2010 1:23 PM, Johansen, Dale wrote:

Mr. Skouby - When reviewing the "public comments" submissions for the working docket related to the above-noted subject (File No. GW-2010-0120) earlier today, I noticed an entry from you dated May 4, 2010 that indicated there were documents attached to your submission. However, there are no documents included with the entry.

If you will e-mail me the comments you intended to include with your public comments submission, I will make sure they get entered into the working docket and I will also include them in the "comments summary" document I am currently working on.

Also, please note that I have added you to my e-mail contact list for this project.

Thanks for your participation in this project, and please let me know if you have any questions.

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5/14/2010