

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by telephone/internet audio conference on the 15th day of July, 2020.

In the Matter of a Waiver of	)	
Commission Rule 20 CSR 4240-	)	
40.030(12)(S) for All Missouri Natural	)	<b><u>File No. GE-2020-0297</u></b>
Gas Distribution Companies And	)	
Municipal Gas Distribution Systems	)	

**ORDER APPROVING WAIVER**

Issue Date: July 15, 2020

Effective Date: July 25, 2020

On March 23, 2020, in response to the national COVID-19 emergency and Executive Order 20-02, the Staff of the Commission (Staff) filed a motion for application for a waiver from Commission Rule 20 CSR 4240-40.030(12)(S)1.B. This rule requires operators of intrastate natural gas pipelines in Missouri to visually inspect accessible customer gas piping and all connected equipment at the time an operator physically turns on the flow of gas to a customer. The Commission granted that request on March 25, 2020.

On June 22, 2020, Staff filed a motion to modify the Commission's March 25, 2020 order. In that motion, Staff proposes an extension of the waiver to December 30, 2020, to match the expiration date of Executive Order 20-02. Staff states it will file a pleading by December 30, 2020 to recommend whether the waiver should be terminated or extended beyond that date.

The Commission issued notice to all Missouri natural gas distribution companies and all Missouri municipal natural gas distribution systems on June 23, 2020. The Commission received no responses.

Staff proposes the following conditions be required of natural gas system operators to qualify for waiver of 20 CSR 4240-40.030(12)(S)1.B.

A. The waiver shall only apply in instances where either the customer or the City/Company gas service technician has specific concerns related to COVID-19. Such concerns must be documented for each instance where the inspection required by 20 CSR 4240-40.030(12)(S)1.B. is not completed.

B. Beginning September 1, 2020, the waiver shall only apply in instances when the customer refuses entry to the gas service technician due to COVID-19 related concerns. Refusal of entry must be documented for each instance where the inspection required by 20 CSR 4240-40.030(12)(S)1.B. is not completed.

C. Documentation of decisions not to perform inspections required by 20 CSR 4240-40.030(12)(S)1.B. and customer refusal to allow entry shall be maintained by the operator for a minimum of five years, and shall be made available upon request to Commission Staff for inspection. Staff would prefer that the operator obtain written documentation from the customer, but realizes this may not be possible due to Covid-19 restrictions. Therefore, Staff recommends the City/Company receive written documentation from the customer whenever possible (i.e., customer has email). Where it is not possible to obtain written documentation from the customer, the City/Company shall document the date, time and name of customer along with a summary of the discussion.

D. Whenever an operator encounters a situation that requires the application of this waiver, the following additional actions shall be implemented to provide additional safety:

(1) If the meter turn on request is initiated by the customer contacting the operator, the operator must provide the customer with safety information during this initial contact. The information provided must include instructions on what to do if the customer smells gas, and an 800 or local phone number to call if customer has any questions after meter turned on.

(2) If the meter turn-on is required due to actions initiated by operator, the operator must either perform the inside inspections as required by (12)(S)1.B., or provide safety information

including instructions on what to do if the customer smells gas and an 800 or local phone number to call if the customer has any questions using a door hanger or other method that avoids in-home contact.

(3) The operator shall conduct weekly odorant intensity tests, in accordance with the test requirements of 20 CSR 4240-40.030(12)(P)6, in areas where customer premises are not entered as required by 20 CSR 4240-40.030(12)(S)1.B.

Staff states that the requested waiver does not apply to 20 CSR 4240-40.030(12)(S)1.A., which requires that the operator also test each segment of fuel line for leakage to at least the delivery pressure. The waiver and proposed conditions also do not apply to 20 CSR 4240-40.030(12)(S)2., 3., or 4., requiring respectively that operators provide safety information to new or relocated customers, discontinue service to any customer whose fuel lines or gas utilization equipment are determined to be unsafe, and maintain records of tests and inspections conducted.

Further, Staff notes that the waiver request would also not relieve the operator from providing safety information to new or relocated customers, discontinuing service to any customer whose fuel lines or gas utilization equipment are determined to be unsafe, and maintaining records of tests and inspections conducted. Finally, Staff points out that Commission Rule 20 CSR 4240-40.030(12)(S)1.B is not a federal requirement included in 49 CFR Part 192, so that operators would remain in compliance with federal pipeline safety standards while the waiver is in effect.

The Commission finds good cause due to the COVID-19 emergency to grant the requested waiver. The Commission further finds that this order should be effective in less than 30 days.

**THE COMMISSION ORDERS THAT:**

1. Staff's Motion to Modify With Conditions The Commission's Waiver of 20 CSR 4240-40.030(12)(S)1.B For All Missouri Natural Gas Distribution Companies and Municipal Gas Distribution Systems is granted.
2. This order shall be effective until December 30, 2020, or until otherwise ordered by the Commission.
3. This order shall be effective on July 25, 2020.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Silvey, Chm., Kenney, Rupp, and  
Coleman, CC., concur.  
Holsman, C., absent.

Pridgin, Regulatory Law Judge

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 15<sup>th</sup> day of July 2020.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

**July 15, 2020**

**File/Case No. GE-2020-0297**

**Missouri Public Service  
Commission**

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**Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).**

**Sincerely,**



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.