

Ohio Petroleum Council

88 East Broad Street, Suite 1460, Columbus, Ohio 43215
PHONE (614) 221-5439 FAX (614) 221-1914
E-Mail ohio@api.org

Terry Fleming
Executive Director

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Chairman Todd Snitchler
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

Thank you very much for the opportunity to submit comments in regards to Ohio Public Utility Commission proposed rulemaking docket 12-2040-GA-ORD relating to gas pipeline safety and the adoption of Senate Bill 315 passed during the legislative session. We appreciate the Commission's willingness to work with industry.

There are four issues we seek further clarification on or revisions to. These issues, along with proposed solutions outlined below, will address the intent of the legislature while also ease industry's concerns about potentially unclear, contradictory or burdensome requirements that we do not believe are the intent of the Commission.

The first issue relates to proposed Sections 4901:1-16-05(D)(1) and 4901:1-16-05(D)(2) relating to the annual reporting of a 24-hour contact and updating emergency personnel to the chief at certain times. The provisions state:

4901:1-16-05(D)(1)

"Each operator and gas gathering/processing plant pipeline operator shall submit a twenty-four hour contact report to the chief not later than March fifteenth of each year.

This written report shall contain:

- (a) The name(s), business address, business telephone and fax number, and email address of its emergency contact personnel.
- (b) Any available emergency hotline number.

4901:1-16-05(D)(2)

"Each operator and gas gathering/processing plant pipeline operator shall within a reasonable time, notify the chief in writing of any change in emergency contact personnel name(s), business address, business telephone, fax number, emergency hotline number, and/or email address of its emergency contact personnel."

Pipeline operators develop and routinely update emergency response plans. These documents are fluid, being frequently updated and revised due to staff changes, lessons learned, training and various other issues in addition to adopting changes in regulatory requirements. As proposed, the information an operator is required to provide could become burdensome to the operator to provide to the Commission. An operator typically doesn't have the same person always available due to shift rotation as well as different people being responsible for specific areas or regions of a system. For this reason, we would like to respectfully suggest that instead of contacting the Commission every time a change is made an operator keeps on file basic corporate information that includes a single emergency number. By focusing on the emergency response number, not a particular person, the appropriate person or company representatives will be available at all times. This number will usually be the number located on pipeline markers which is manned 24-hours per day, seven days a week.

Our second concern relates to the requirement for pipeline operators to report the MAOP of the pipeline on the pipeline construction report 21-days prior to the commencement of the pipeline under Section 4901:1-16-15(C). The provision states:

“Not later than twenty-one days prior to commencement of the pipeline, any person who plans to construct a pipeline subject to paragraphs (A) and (B) of this rule after the effective date of section 4905.911, Revised Code, shall submit to the pipeline safety division of the public utilities commission a form approved by the division that includes all of the following information:

.....

(2) The MAOP of the pipeline;”

An operator will not object to providing the MAOP of a segment or pipeline system. However, the actual MAOP will not be known prior to it being tested, which usually occurs after construction has occurred. For this reason, we would respectfully request that the word “design” is inserted between “the” and “MAOP” so that it is clear that the actual MAOP is not required prior to construction and the appropriate testing. Item (2) would then read “The design MAOP of the pipeline.”

The last issue relates to the completion report that is required to be filed by an operator 60 days after construction has occurred. As drafted, the current rule provision is overly broad and unclear. Provision 4901:1-16-15(D) states:

“Not later than sixty days after completion of construction of a pipeline subject to paragraph (C) of this rule, the gas gathering/processing plant pipeline operator shall submit to the public utilities commission division of pipeline safety an explanation of the constructed pipeline route and operating information.”

We do not understand what the words “operating information” mean. We would respectfully request that the provision be clarified to require the operator to submit the following information:

- The name of the pipeline owner and operator, if applicable
- The date of service
- A confirmation of the MAOP

Again, we appreciate the opportunity to present these issues and the proposed solutions outlined here. We would be happy to meet or discuss these issues with the appropriate persons at any time.

Thank you for your time and consideration.

A handwritten signature in blue ink that reads "Terry P. Fleming" followed by a stylized flourish or initials.

Terry P. Fleming
Executive Director

TPF/chp

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Case No(s). 12-2040-GA-ORD

Summary: Comments Comments of the Ohio Petroleum Council Proposed Rulemaking
Docket 12-2040-GA-ORD electronically filed by Mrs. Christina H Polesovsky on behalf of Ohio
Petroleum Council and Mrs. Christina Haddad Polesovsky