

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Commission's Review)	
of its Rules in Chapter 4901:1-16 of the)	Case No. 13-2237-GA-ORD
Ohio Administrative Code, Regarding)	
Pipeline Safety.)	

**REPLY COMMENTS OF
DOMINION EAST OHIO AND VECTREN ENERGY DELIVERY OF OHIO, INC.**

I. INTRODUCTION

These reply comments of The East Ohio Gas Company d/b/a Dominion East Ohio (DEO) and Vectren Energy Delivery of Ohio, Inc. (VEDO) are offered in response to initial comments filed in this proceeding on April 4, 2014.

As DEO and VEDO explained in their initial comments, any new pipeline safety rules should account for both the problem itself and the means available to solve it. To this end, DEO and VEDO recommended that the Commission either (i) reject proposed rule 4901:1-16-05(G) (concerning inspection requirements for inactive service lines) at this time or (ii) hold this part of the proceeding in abeyance and schedule workshops to allow discussion and better understanding of the underlying issues. The initial comments of the Ohio Gas Association (OGA) and Columbia Gas of Ohio, Inc. (Columbia), as well as the reply comments filed yesterday by the Ohio Gas Company, show that there is common ground on the idea of workshops. Conversely, no one has filed comments asking the Commission to approve Staff's proposed rules for inactive service lines, as drafted and submitted for comment. So whether it occurs through workshops or some other process, it seems reasonably clear that more discussion and analysis is needed before implementing new rules to address Staff's concerns.

II. REPLY COMMENTS

DEO and VEDO respond below to each party that filed initial comments.

A. Ohio Oil & Gas Association (OOGA)

OOGA supports defining “leak detection equipment,” but believes Staff’s proposed definition is too narrow because the definition is limited to devices used to detect “the percentage of natural gas in air.” OOGA makes a good point. Technology exists that makes it possible to detect gas through measurement techniques other than percentages, such as parts per million. DEO and VEDO therefore support OOGA’s proposal to delete “the percentage of” from the new definition in rule 4901:1-16-01(M).

OOGA also makes a good point concerning the proposed change to the definition of “Natural Gas Pipeline Safety Act” contained in rule 4901:1-16-01(P). R.C. 4905.90(I) says that “Natural Gas Pipeline Safety Act” means certain federal statutes and rules “as amended.” The proposed administrative definition refers to the same federal statute and rules, but Staff proposes to delete “as amended.” Whether the Commission has the authority to ascribe a different definition to “Natural Gas Pipeline Safety Act” than provided by statute need not be determined; as a practical matter, there is no good reason to do so. Having different definitions is a recipe for conflict. Staff’s proposal should be rejected and the definition left as-is.

B. Midstream Access

Midstream Access submitted comments that appear substantively identical to those filed by OOGA. Thus, DEO and VEDO’s response to OOGA’s comments also applies to Midstream Access’s.

C. Ohio Gas Association

In its comments to proposed Rule 4901:1-16-05(G)(1)(requiring annual assessments of inactive service lines), OGA notes that it “believes such an assessment is already being done during an LDC’s leak inspection and monitoring surveys.” (OGA Comments at 2.) DEO and VEDO cannot speak for other LDCs, but for themselves would confirm that OGA’s belief is correct. As noted in Initial Comments, under procedures currently in place, DEO and VEDO inspect *all* main lines and service lines every five years, or even more frequently, per applicable DOT inspection requirements. (DEO/VEDO Initial Comments at 4.)

OGA recognizes that different LDCs face different challenges in managing “inactive” service lines. DEO and VEDO whole-heartedly endorse OGA’s recommendation for additional workshops to identify the challenges, and possible solutions, to the concerns that give rise to Staff’s proposed rule. DEO and VEDO discussed the workshop concept in some detail in their Initial Comments. (*Id.* at 5-7.) OGA’s comments confirm that workshops should be initiated before implementing new rules.

D. Columbia Gas of Ohio, Inc.

Columbia recommends a few changes to Staff’s proposal to address inactive service lines. The most significant of these is a proposal to delay enforcement of the new rules for five years. Columbia’s comments include a fairly detailed discussion of its current assessment program.

These issues—whether rules should be crafted such that all assessment programs will look like Columbia’s, or whether the enforcement of new rules should be delayed—are precisely the kind that should be vetted in a workshop setting. Indeed, Columbia itself recognizes that its policies and procedures may not necessarily be an appropriate template for the entire industry. And while making its own proposed changes and clarifications, “Columbia would support the

utilization of a stakeholder workshop to further clarify rule requirements and provide an opportunity for local distribution companies to present to the Commission ways to incorporate the rules into their current policies and procedures.” (Columbia Initial Comments at 1.) DEO and VEDO recognize that the Commission may not be comfortable with the idea of incorporating new regulatory requirements into existing policies and procedures without knowing more about the specifics of each operator’s policies and procedures. Workshops would provide a good setting for the Commission to gain this understanding.

III. CONCLUSION

DEO and VEDO appreciate the opportunity to comment on the proposed rules. For the foregoing reasons, DEO and VEDO respectfully request that the Commission act in accordance with these comments.

Dated: April 18, 2014

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Reply Comments were served by electronic mail on the 18th day of April 2014 to the following:

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Summary: Comments Reply Comments electronically filed by Mr. Gregory L. Williams on behalf of The East Ohio Gas Company d/b/a Dominion East Ohio and Vectren Energy Delivery of Ohio, Inc.