Rule Signature Page

Rule #: LSA #_____(E)
Agency: Indiana Utility Regulatory Commission
Subject: Temporarily amends 170 IAC 5-3-4 to extend the due date to file annual reports in order to match federal due dates. Statutory authority: IC 4-22-2-37.1(a)(7), IC 8-1-2-113, and 8-1-22.5-4. Effective_____.

ADOPTED:

By the Indiana Utility Regulatory Commission Date: FEB 09 2011

James D. Atterholt, Chairman

ABSENT
Larry S. Landis, Commissioner

Carolene Mays, Commissioner

David E. Ziegner, Commissioner

Kari A. E. Bennett, Commissioner

ACCEPTED FOR FILING:

By: _____ Date: _____
Indiana Register
Legislative Services Agency

ORIGINAL

INDIANA UTILITY REGULATORY COMMISSION

Emergency Rulemaking

IURC RM for 170 IAC 5-3-4
LSA #_____(E)

Temporarily amends 170 IAC 5-3-4 to extend the due date to file annual reports in order to match federal due dates.

The Indiana Utility Regulatory Commission, on February 9, 2011, at 2:00 p.m. local time in Judicial Courtroom 222, PNC Center, Indianapolis, Indiana at which time a majority of members of said Commission were present, adopted the foregoing rule.

The Secretary is hereby directed to submit the aforesaid rule to the publisher, Indiana Register.

James D. Atterholt, Chairman

ABSENT
Larry S. Landis, Commissioner

Carolene Mays, Commissioner

David E. Ziegner, Commissioner

Kari A. E. Bennett, Commissioner

ATTEST:

Brenda A. Howe, Secretary to the Commission

Date: FEB 09 2011

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

Emergency Rule
LSA Document #_____(E)

DIGEST

Temporarily amends 170 IAC 5-3-4 to extend the due date to file annual reports in order to match federal due dates. Statutory authority: IC 4-22-2-37.1(a)(7), IC 8-1-2-113, and 8-1-22.5-4. Effective_____.

SECTION 1. **(a) This SECTION supersedes 170 IAC 5-3-4.**

170 IAC 5-3-4 Reports to the division
Authority: IC 8-1-1-3; IC 8-1-22.5-4
Affected: IC 8-1-2-114
Sec. 4. (a) Each operator shall file the reports listed in this section with the:
(1) division; and
(2) addressee listed in 49 CFR 191.7.
(b) All accidents and incidents as:
(1) defined in this rule; or
(2) deemed significant by the operator, such as situations involving:
(A) media attention;
(B) high profile locations;
(C) large evacuations; or
(D) the possibility of recurrence;
shall be reported to the division by telephone or electronic submission at the earliest practicable moment following discovery. This notification shall be followed by a written report upon request by the division.
(c) The written report as required in subdivision (b) *[subsection (b)]* shall be provided within twenty (20) days of the request and shall include, but not be limited to, the following:
(1) Name of the operator.
(2) Date and time of the incident.
(3) A definite location: street address or, if rural, locate definitely (not R.R.), 911 address.
(4) The number of employees injured requiring inpatient hospitalization or fatalities, or both (name, sex, age, and address).
(5) The number of nonemployees injured requiring inpatient hospitalization or fatalities, or both (name, sex, age, and address).
(6) The estimated value of total property damage and a description of the damaged property.
(7) A description of the accident.
(8) The location and a description of the operator's plant, including sketches or maps, if necessary, for clarification.

(9) The condition of the operator's plant as found on inspection.
(10) The extent of the investigation and findings; and
(11) Unless submitted electronically, the signature of a responsible representative of the operator.
(d) The following are the requirements for interruption of service reports:
(1) Each operator shall keep a record of any interruption of service affecting:
(A) its entire system;
(B) affecting a major division of its system;
(C) affecting one hundred (100) or more customers at once; or
(D) when the operator deems the event to be significant.
(2) The record required in subdivision (1) shall include a statement of the:
(A) time;
(B) duration;
(C) extent; and
(D) cause;
of the interruption.
(3) Whenever the service is intentionally interrupted for any purpose, the interruptions shall, except in emergencies, be at a time that will cause the least inconvenience to customers. Those customers who will be most seriously affected by the interruption shall, so far as possible, be notified in advance.
(4) Whenever the service is interrupted other than intentionally in a major division or community, the operator shall:
(A) notify the division by telephone or electronic submission at the earliest practicable moment following discovery and provide the information required in subdivision (2);
(B) confirm the information, upon request of the division, by a written report within twenty (20) days of the notification; and
(C) provide such additional reports requested by the division.
(e) The following are the requirements for annual reports:
(1) Annual reports, as required by 49 CFR 191.11, shall be filed with the division not later than March 1 of each year. Annual reports, as required by 49 CFR 191.17, shall be filed with the division not later than June 1 of each year. The division shall, after review, forward the original copy in accordance with 49 CFR 191.7.
(2) Annual reports as required by 49 CFR 195.49 shall be filed with the division no later than August 1 of each year.
(3) Each master meter operator as defined in 49 CFR 191.3 shall file with the division, not later than March 1 of each year, a report that shall include the following:
(A) The dates of completion for previous year of the:
(i) leak survey;
(ii) cp survey; and
(iii) valve inspection.
(B) The name of the person who completed the inspections on behalf of the master meter operator.
(C) The number of unrepaired leak reports on January 1 of the preceding year.

(D) The number of leak reports received during the preceding year.

(E) The number of leaks repaired during the preceding year; and

(F) The number of unrepaired leak reports at the end of the preceding year.

(G) Current information for the individual responsible for the gas system including the following:

(i) Name.

(ii) Title.

(iii) Address.

(iv) Phone number.

(v) E-mail address.

The information required in this subdivision shall be provided to the division on a form available on the division's website at http://www.in.gov/iurc/pipeline.

These reports shall include all known leak reports regardless of classification, on the respective systems, up to and including the meter outlet.

(4) Each operator shall file with the division notification of construction that is significant to the operator, in a manner that facilitates unannounced inspections. Examples may include any:

(A) new construction, replacement, or relocation of any jurisdictional:

(i) gas pipeline facility that is considered transmission by definition under 49 CFR 192.3;

(ii) gas distribution main of a significant footage for a single project, including any cast iron or bare steel replacement project of any length;

(iii) gas purchase point, regardless of number of customers served;

(iv) gas distribution center station that is designed to serve at least one thousand (1,000) customers immediately or in the future; or

(v) hazardous liquid or carbon dioxide facility; or

(B) significant gas service replacement project that encompasses at least twelve (12) city blocks or two hundred fifty (250) services for a single project.

(5) The notification required under subdivision (4) shall include the following:

(A) A description and location of work.

(B) The type of facility.

(C) The estimated start date.

(D) The name and address of the reporting company.

(E) The name, address, and telephone number of person to be contacted concerning the project.

(F) Any other significant information concerning the project.

(6) Each operator shall file with the division such other reports as may be required that are relevant to the safe operation of the operator's system, including the following:

(A) Safety related condition reports as required by 49 CFR 191.25.

(B) Safety related condition reports as required by 49 CFR 195.56.

(f) The reports as listed and required in this section shall not imply or be considered an admission of any liability or responsibility of the operator in connection with the accident or incident so mentioned. ***(Indiana Utility Regulatory Commission; No. 32885:***

Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 4; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 542; filed Aug 12, 1988, 4:00 p.m.: 12 IR 6; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA)

SECTION 2. This document expires _____.