

ORIGINAL



0000128426

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COMMISSIONERS

GARY PIERCE, CHAIRMAN
SANDRA D. KENNEDY
PAUL NEWMAN
BOB STUMP
BRENDA BURNS

2011 AUG 19 P 12:14

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED

AUG 19 2011

DOCKETED BY 

IN THE MATTER OF THE PROPOSED
AMENDMENTS TO THE PIPELINE
SAFETY RULES R14-5-201, R14-5-202,
R14-5-203, R14-5-204, AND R14-5-205.

DOCKET NO. RG-00000A-11-0161

NOTICE OF FILING

The Arizona Corporation Commission Staff hereby files the attached Notice of Docket Opening and Notice of Proposed Rulemaking filed with the Secretary of State on July 29, 2011. The Notices were published in the August 19, 2011 issue of The Arizona Administrative Register.

RESPECTFULLY SUBMITTED this 19th day of August, 2011.

By 

Charles H. Hains
Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
(602) 542-3402

Original and thirteen (13) copies of the foregoing filed this 19th day of August, 2011, with:

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

...

...

1 **Copy of the foregoing mailed this**
2 **19th day of August, 2011, to:**

3 Robert Miller
4 Arizona Corporation Commission
5 Safety Division
6 2200 N. Central Avenue, Suite 300
7 Phoenix, Arizona 85004

8 Mr. Scott Takinen
9 Plant Manager
10 Arizona Public Service Company
11 Post Office Box 53999
12 Mail Station 4120
13 Phoenix, Arizona 85072-3999

14 Mrs. Debra Gallo
15 Manager Regulatory Affairs
16 Southwest Gas Corporation
17 Post Office Box 98510
18 Las Vegas, Nevada 89193-8510

19 Mr. Jim Kane
20 President
21 Southwest Gas Corporation
22 Post Office Box 98510
23 Las Vegas, Nevada 89193-8510

24 City of Mesa
25 Building Inspections
26 Post Office Box 1466
27 Mesa, Arizona 85211-1466

28 ASARCO Incorporated
c/o Webb Crockett, Esq.
Fennemore Craig
3003 North Central Avenue, Suite 2600
Phoenix, Arizona 85012

The Arizona Utility Group
c/o Kevin Kent
Jim Lanto, Chairman
City of Mesa
Post Office Box 1466
Mesa, Arizona 85211-1466

Mr. Bryan Jaconi
Manager
Havasu Springs Resort
2581 Highway 95
Parker, Arizona 85344

Mr. Nick Martinez
Utilities Supervisor
Copper Market Incorporated
Post Office Box 245
Bagdad, Arizona 86321

Mr. Jim Vescio
Station Manager
Swissport Fueling Inc.
4200 East Airline Drive
Phoenix, Arizona 85034

Mr. Mike Pearce
General Manager
Duncan Rural Service Cooperative
Post Office Box 440
379597 AZ HWY 75
Duncan, Arizona 85534

Mr. Dennis Lloyd
Manager, Compliance
El Paso Natural Gas Company
5151 East Broadway, Suite 1680
Tucson, Arizona 85711

Jones Intercable
Regulatory Division
8251 North Cortaro Road
Tucson, Arizona 85743-9599

Tucson Electric Power
Legal Department – DB203
220 West 6th Street
Post Office Box 711
Tucson, Arizona 85072

1 Mr. David Martin
2 Association of General Contractors
3 1825 West Adams
4 Phoenix, Arizona 85007
5
6 Mr. Clark Tartar and Mr. Frank Harris
7 Arizona Pipeline Company
8 3111 West Lincoln Street
9 Phoenix, Arizona 85009
10
11 Mr. Adelbert Goldtooth
12 Interim Superintendent of Schools
13 Tuba City Unified School District No. 15
14 Post Office Box 67
15 Tuba City, Arizona 86045
16
17 Mr. Bob Stone
18 Plant Manager
19 Gila River, L.P.
20 P.O. Box 798
21 Gila Bend, AZ 85337
22
23 Mr. Glen Carson
24 Director
25 Desert Gas Services
26 2510 O' Conner Ridge Blvd. Ste. 290
27 Irving, TX 75038
28
29 Mr. Justin B. Jessop
30 Gas Department Supervisor
31 Colorado City Gas
32 Post Office Box 840809
33 Hildale, Utah 84784
34
35 Mr. Frank McRae, Director, Energy
36 Resources
37 City of Mesa
38 Post Office Box 1466
39 Mesa, Arizona 85211-1466
40
41 Mr. Jay Howe
42 Director
43 City of Safford
44 Post Office Box 272
45 Safford, Arizona 85548
46
47
48

Mr. Steve Lines
General Manager
Graham County Utilities, Inc.
Post Office Drawer B
Pima, Arizona 85543

Mr. Pat McCourt
City Manager
City of Willcox
250 N. Railroad Avenue
Willcox, Arizona 85643

Mr. John Rueter
Park Manager
Canyon Valle Airpark
801 South State Route 64, Space 100
Williams, Arizona 86406

Mr. Doug Adams
Plant Manger
Nucor Steel Kingman
3000 Highway 66 South
Kingman, Arizona 86413

Mr. John H. Shorbe, Sr.
Southern Arizona Home Builders
Association
2840 North Country Club Road
Tucson, Arizona 85716

Mr. Wayne Liles
Facilities Supervisor
Plains LPG Services, L.P.
14702 West Olive Avenue
Waddell, Arizona 85355

Mr. Glenn Nichols
City Manager
City of Benson
160 South Huachuca
Benson, Arizona 85602

Dindy Bird
SemStream Arizona Propane
2000 East Frontage Road
Post Office Box 3025
Page, Arizona 86040

1 Mr. Doug Mann
President
2 SemStream Arizona Propane
200 West Longhorn Road
3 Payson, Arizona 85541

4 Mr. Dan DiMiccio
Vice President / General Manager
5 Nucor Steel Utah
6 Post Office Box 100
Plymouth, Utah 84330

7
8 Mr. Charlie Brooks
Plant Engineer
9 Pimalco Aerospace Aluminum
6833 West Willis Road
10 Box 5050
Chandler, Arizona 85226

11 Pinal County Building Inspections
12 Queen Creek, Magma Gas Area
Building Safety Division
13 Post Office Box 827
14 31 North Pinal St. Bldg. D
Florence, Arizona 85232

15
16 Mr. Greg Merdick
Cox Communication
17 Community Relations
1550 W. Deer Valley Rd.
18 Phoenix, Arizona 85027

Mr. Kenny Weickum
Manager
Ikard and Newsom
4359 US Hwy 64
Kirtland, New Mexico 87419

Paul Lopez
DOT Field Compliance
El Paso Natural Gas Company
Post Office Box 1087
Colorado Springs, Colorado 80904

Mr. Steve Chasse
Abbott RPD Manager
Utility & Facility Manager
Abbott Labs
1250 West Maricopa Highway
Casa Grande, Arizona 85222

Mr. Scott Vickers
Manager, Compliance
Calpine Pipeline Company
3779 Courtwright Road
P.O. Box 5619
Mohave, Valley, Arizona 86440



19
20
21
22
23
24
25
26
27
28

AGENCY RECEIPT

SECRETARY OF STATE
FILED

Notice of Proposed Rulemaking

2011 JUL 29 PM 1:11

1. **Agency name:** Arizona Corporation Commission
2. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking, listed in alphabetical and numerical order:**

<u>Subchapters, Articles, Parts, and Sections (in alphabetical and numerical order)</u>	<u>Action</u>
R14-5-202	Amended
R14-5-203	Amended
R14-5-204	Amended
R14-5-205	Amended

Notices of Proposed Rulemaking

- iv. If applicable, a statement that the baked or confectionary goods are prepared in a facility for individuals with developmental disabilities.
- C. A kitchen in a private home in which baked or confectionary goods are prepared that meets the requirements in A.R.S. § 36-136(H)(4)(g) and (H)(13) and subsection (B)(10) is an approved source of baked or confectionary goods for retail sale.

NOTICE OF PROPOSED RULEMAKING

TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS;
SECURITIES REGULATION

CHAPTER 5. CORPORATION COMMISSION
TRANSPORTATION

Editor's Note: The following Notice of Proposed Rulemaking was exempt from Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1641.)

[R11-107]

PREAMBLE

- 1. Sections Affected**
- | <u>Sections Affected</u> | <u>Rulemaking Action</u> |
|--------------------------|--------------------------|
| R14-5-202 | Amend |
| R14-5-203 | Amend |
| R14-5-204 | Amend |
| R14-5-205 | Amend |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
- Authorizing statute: A.R.S. §§ 40-202, 40-203, 40-321, 40-441 and 40-442 et seq.
Constitutional authority: Arizona Constitution, Article XV
Implementing statute: Arizona Constitution Article XV § 3; A.R.S. §§ 40-202, 40-203, 40-321, 40-322, 40-281, 40-282
- 3. A list of all previous notices appearing in the Register addressing the proposed rule:**
- Notice of Rulemaking Docket Opening: 17 A.A.R. 1640, August 19, 2011 (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
- Name: Charles Hains, Commission Counsel, Legal Division
Address: Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 542-3402
Fax: (602) 542-4870
E-mail: Chains@azcc.gov
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**
- The Commission is proposing amendments to transportation rules R14-5-202, R14-5-203, R14-5-204 and R14-5-205. The amendments will update the rules to incorporate the most recent amendments to the *Code of Federal Regulations* (CFR), Title 49, Parts 40, 191, 192, except I (2) and (3) of Appendix D to Part 192, 193, 195 (except 195.1(b)(2),(3) and (4)) and 199 revised as of October 1, 2010.
- 6. A reference to any study relevant to the rules that the agency reviewed and either proposes to rely on or not to rely on in its evaluation of or justification for the rules, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
- None
- 7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
- The Commission believes that by incorporating by reference 49 CFR 40, 191, 192, except I (2) and (3) of Appendix D to Part 192, 193, 195 (except 195.1(b)(2), (3) and (4)) and 199 revised as of October 1, 2010, the rules will be con-

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

sistent with the current best practices and will enhance public safety which is in the best interest of all citizens in the state of Arizona.

8. The preliminary summary of the economic, small business, and consumer impact:

NOTE – The Arizona Corporation Commission is exempt from the requirements of A.R.S. § 41-1055 relating to economic, small business, and consumer impact statements. See A.R.S. § 41-1057(2). However, under A.R.S. § 41-1057(2), the Arizona Corporation Commission is required to prepare a “substantially similar” statement.

Small business Subject to the Rules: There will be no impact on master meter system operators if they are already complying with current Federal Pipeline Safety Regulations. There will be a minimum to moderate impact on operators of natural gas or other gas systems if they are already complying with current Federal Pipeline Safety Regulations. Lastly, there will be no impact on operators of hazardous liquid pipelines if they are already complying with current Federal Pipeline Safety Regulations.

The proposed amendments to the existing rules should have a minimal impact on consumers or users of the gas service provided by regulated public utilities. As major utilities such as Southwest Gas come to the Commission for future rate cases, they will include some increased costs due to complying with the new federal regulations. It is impossible to forecast the exact impact on final rates of any one issue at this time. The utilities are presently required to be in compliance with all standards but the new regulations will benefit consumers, users and the general public by enhancing the safe operation and maintenance of pipeline systems.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Robert E. Miller, Supervisor, Office of Pipeline Safety
Address: Arizona Corporation Commission
2200 W. Washington St., Suite 300
Phoenix, AZ 85004
Telephone: (602) 262-5601
Fax: (602) 262-5620
E-mail: RMiller@azcc.gov

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Public comment will be held on September 19, 2011, beginning at 2:00 p.m. or as soon as practicable thereafter in Hearing Room 1 at the Commission’s Phoenix offices of the Arizona Corporation Commission located at 1200 W. Washington St., Phoenix, AZ 85007. Written comments can be submitted on or before September 19, 2011. Comments should be submitted to Docket Control at the above address. Please reference docket number RG-00000A-11-0161 on all documents. Oral comments may be provided at the proceeding to be held on September 19, 2011.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

1. American Society for Testing Materials (ASTM); R14-5-201(28); R14-5-202(P); R14-5-207(I).
2. Title 49, Code of Federal Regulations (CFR), Parts 40, 191, 192, except I(2) and (3) of Appendix D to Parts 192, 193, 195 (except 195.1(b)(2), (3) and (4)) and 199; R14-5-202(B)(J); R14-5-203(B)(2)(f)(ii); R14-5-203(C)(3)(c)(ii); R14-5-207(C).
3. National Association of Corrosion Engineers (NACE) Standard MR0175 (1999 Revision); (and no future revisions), Standard Materials Requirements-Sulfide Stress Cracking Resistant Metallic Material for Oilfield Equipment; R14-5-202(E)(1).
4. API RP55 (1995 Edition); (and no future amendments), API recommended practice for conducting oil and gas production operations involving hydrogen sulfide; R14-5-202(E)(2).
5. American Society of Mechanical Engineers (ASME) Guide for Gas Transmission and Distribution Pipeline System, Guide Material, Appendix G-11-1983 except 4.4(c) (1983 Revision and no future revisions); R14-5-202(R); R14-5-207(O)(2).
6. Pipeline and Hazardous Materials Safety Administration; PHMSA F7100.1 - Distribution System: Incident Report, January, 2010 Revision and no future revisions); R14-5-203(C)(2)(a); PHMSA F7100.2 - Transmission and Gathering System: Incident Report, (January, 2010 Revision and no future revisions); R14-5-203(C)(2)(b); PHMSA F7100.3 – Liquefied Natural Gas (LNG) Facilities: Incident Report, (November 2010); PHMSA F7000-1, (January 2010 Revision and no future revisions); R14-5-203(C)(3); PHMSA F 7000-1.1 (June 2011 Edition and no future editions); R14-5-204(A)(1); PHMSA F7100.1-1 (January 2011 Edition and no future editions);

Notices of Proposed Rulemaking

R14-5-204(A)(2); PHMSA F7100.2-1 (June 2011 Edition and no future editions); R14-5-204(A)(3); PHMSA F7100.3-1 (November 2010 Edition and no future editions); R14-5-204(A)(4).

7. Arizona Corporation Commission, Master Meter Annual Report Form, MM-04 (2011); R14-5-207(R).

13. The full text of the rules follows:

**TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND ASSOCIATIONS;
SECURITIES REGULATION**

**CHAPTER 5. CORPORATION COMMISSION
TRANSPORTATION**

ARTICLE 2. PIPELINE SAFETY

Section

- R14-5-202. Construction and Safety Standards
R14-5-203. Pipeline Incident Reports and Investigations
R14-5-204. Annual Reports
R14-5-205. Master Meter System Operators

ARTICLE 2. PIPELINE SAFETY

R14-5-202. Construction and Safety Standards

- A. Applicability: This rule applies to the construction, reconstruction, repair, operation and maintenance of all intrastate natural gas, other gas, LNG and hazardous liquid pipeline systems, as described in A.R.S. § 40-441.
- B. Subject to the definitional changes in R14-5-201 and the revisions noted in subsection (C), the Commission adopts, incorporates, and approves as its own 49 CFR 40, 191, 192 except I (2) and (3) of Appendix D to Part 192, 193, 195, except 195.1(b)(2), and (3), and 199, revised as of ~~August 1, 2006~~ October 1, 2010 (and no future amendments), incorporated by reference and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954.
- C. The above mentioned incorporated Parts of 49 CFR, except Parts 191, 193 Subpart A and 195 Subpart A and B, are revised as follows:
1. Substitute "Commission" where "Administrator of the Research and Special Programs Administration" or "Office of Pipeline Safety" (OPS) appear.
 2. Substitute "Office of Pipeline Safety, Arizona Corporation Commission, at its office in Phoenix, Arizona" where the address for the ~~Information Resources Manager~~, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation appears.
- D. Operators of an intrastate pipeline will file with the Commission an Operation and Maintenance Plan (O & M), including an emergency plan, 30 days prior to placing a pipeline system into operation. Any changes in existing plans will be filed within 30 days of the effective date of the change.
- E. Operators of an intrastate pipeline transporting sour gas or oil are subject to industry standards addressing facilities handling hydrogen sulfide (H₂S). Standards adopted are:
1. NACE Standard ~~MR-0175-99 (1999 Revision)~~; ~~(and no future revisions)~~ MR0175, Standard Materials Requirements-Sulfide Stress Cracking Resistant Metallic Material for Oilfield Equipment, incorporated by reference and no future amendments. Copies are available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and the NACE International, 1440 S. Creek Dr., Houston, TX 77084-4906.
 2. API RP55 (1995 Edition); (and no future amendments), API recommended practice for conducting oil and gas production operations involving hydrogen sulfide, incorporated by reference and no future amendments. Copies are available from the ~~Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004~~ American Petroleum Institute, 1200 L Street, NW, Washington, DC 2005-4070 and Techstreet, 777 E. Eisenhower Pkwy., Ann Arbor, MI 48108 <http://www.techstreet.com/>.
- F. Operators of an intrastate pipeline transporting LNG, hazardous liquid, natural gas or other gas will not construct any part of a hazardous liquid, LNG, natural gas or other gas pipeline system under a building. For building encroachments over a pipeline system, the operator may require the property owner to remove the building from over the pipeline or reimburse the operator the cost associated with relocating the pipeline system. The encroachment shall be resolved within 180 days of discovery, or the operator shall discontinue service to the pipeline system. When the encroachment cannot be resolved within the 180 days the operator shall submit to the Office of Pipeline Safety within 90 days of discovery a written plan to resolve the encroachment. The Office of Pipeline Safety may then extend the 180-day requirement in order to allow the ratepayer and the operator to implement the written plan to resolve the encroachment.

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

- G. Operators of an intrastate distribution pipeline transporting natural gas or other gas will not construct any part of a pipeline system closer than 8 inches to any other underground structure. If the 8-inch clearance cannot be maintained from other underground structures, a sleeve, casing, or shielding shall be used.
- H. Operators of an intrastate pipeline transporting natural gas or other gas that have regulators, meters, or regulation meter sets that have been out of service for 36 months will abandon those lines and cap all ends. The Operator's steps to accomplish the abandonment shall not exceed six months beyond the 36 months out service status.
- I. Operators of an intrastate pipeline shall not install or operate a gas regulator that might release gas in its operation closer than ~~three~~ 3 feet to a source of ignition, opening into a building, air intake into a building or to any electrical source not intrinsically safe. The ~~three~~ 3 foot clearance from a source of ignition will be measured from the vent or source of release (discharge port), not from the physical location of the meter set assembly. This subsection shall not be effective with respect to building permits which are issued and subdivisions which are platted prior to October 1, 2000. For encroachment within the required ~~three~~ 3 foot clearance caused by an action of the property owner, occupant or a service provider, after the effective date of this rule the operator may require the property owner to resolve the encroachment or reimburse the operator the cost associated with relocating the pipeline system. The encroachment shall be resolved within 180 days of discovery or the operator shall discontinue service to the effected pipeline system. When the encroachment cannot be resolved within the 180 days the operator shall submit to the Office of Pipeline Safety within 90 days of discovery a written plan to resolve the encroachment. The Office of Pipeline Safety may then extend the 180-day requirement in order to allow the ratepayer and the operator to implement the written plan to resolve the encroachment.
- J. Operators of an intrastate pipeline transporting LNG, natural gas, other gases or hazardous liquid will utilize a cathodic protection system designed to protect the metallic pipeline in its entirety, in accordance with 49 CFR 192, Subpart I, ~~August 1, 2006~~ October 1, 2010 (and no future amendments), incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004, and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954, except I (2) and (3) of Appendix D to Part 192 shall not be utilized.
- K. Operators of an intrastate pipeline transporting natural gas or other gas will not use solvent cement to join together plastic pipe manufactured from different materials unless the operator utilizes a joining procedure in accordance with the specifications of 49 CFR 192, Subpart F, ~~August 1, 2006~~ October 1, 2010 (and no future amendments), incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004, and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954.
- L. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas will not install Acrylonitrile-Butadiene-Styrene (ABS) or aluminum pipe in their pipeline systems.
- M. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas will not install plastic pipe aboveground unless the plastic pipeline is protected by a metal casing, or equivalent, and approved by the Office of Pipeline Safety. Temporary aboveground plastic pipeline bypasses are permitted for up to 60 days, provided that the plastic pipeline is protected and is under the direct supervision of the operator at all times.
- N. Operators of an intrastate pipeline transporting hazardous liquid, natural gas or other gas that construct a pipeline system or any portion thereof using plastic pipe, will install, at a minimum, a 14-gauge coated or corrosion resistant, electrically conductive wire as a means of locating the pipe while it is underground. Tracer wire shall not be wrapped around the plastic pipe, tracer wire may be taped, or attached in some manner to the pipe provided that the adhesive or the attachment is not detrimental to the integrity of the pipe wall.
- O. Operators of an intrastate pipeline transporting natural gas, other gas or hazardous liquid, that construct an underground pipeline system using plastic pipe, will bury the installed pipe with a minimum of 6 inches of sandy type soil surrounding the pipe for bedding and shading, free of any rock or debris, unless otherwise protected and approved by the Office of Pipeline Safety. Steel pipe shall be installed with bedding and shading, free of any debris or materials injurious to the pipe coating, unless otherwise protected and approved by the Office of Pipeline Safety.
- P. Operators of an intrastate pipeline transporting natural gas or other gas that construct an underground pipeline system using plastic pipe will install the pipe with sufficient slack to allow for thermal expansion and contraction. In addition, all plastic pipe and fittings shall be tested and marked CD, CE, CF or CG as required by ASTM D2513 (1995c Edition and no future editions), incorporated by reference, and copies available from ASTM International, 100 Barr Harbor Dr., P.O. Box C700, W. Conshohocken, PA 19428-2959, for areas where the service temperature is above 100° F.
- Q. Operators of an intrastate pipeline system transporting hazardous liquid, natural gas or other gases shall qualify welding procedures and shall perform welding of steel pipelines in accordance with API Standard 1104. Each welder must be qualified in accordance with API Standard 1104, 49 CFR 192, ~~appendix A~~ 192.7. The qualification of welders delineated in 49 CFR 192, appendix C may be used for low stress level pipe.
- R. Operators of an intrastate pipeline transporting natural gas or other gas pipeline system shall survey and grade all detected leakage by the following guide: ASME Guide for Gas Transmission and Distribution Pipeline System, Guide Material, Appendix G-11-1983 except 4.4(c) (1983 Revision and no future revisions), incorporated by reference and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and the ~~ASME, United Engineering Center, 345 E. 47th St., New York, NY 10017~~ ASME, Three Park Avenue, New York, NY 10016-5990. ("Should" as referenced in the Guide will be interpreted to mean "shall"). Leakage survey records shall identify in some manner each

Notices of Proposed Rulemaking

- pipeline surveyed. Records shall be maintained to demonstrate that the required leakage survey has been conducted.
- S. Laboratory testing of intrastate pipelines shall be conducted in accordance with the following:
1. If an operator of an intrastate natural gas, other gas, or hazardous liquid pipeline removes a portion of a failed pipeline, where the cause of the failure is unknown, as the result of an incident that requires a telephonic or written incident report under R14-5-203(B) or (C), the operator shall retain the portion that was removed and shall telephonically notify the Office of Pipeline Safety of the removal within two hours after the removal is completed. A notice made pursuant to this subsection shall include all of the following:
 - a. Identity of the failed pipeline,
 - b. Description and location of the failure,
 - c. Date and time of the removal,
 - d. Length or quantity of the removed portion,
 - e. Storage location of the removed portion,
 - f. Any additional information about the failure or the removal of the portion of the pipeline that failed that is requested by the Office of Pipeline Safety. An unknown failure is any failure where the cause of the failure is not observable external corrosion, third-party damage, natural or other outside forces, construction or material defect, equipment malfunction or incorrect operations; or is any failure where the Office of Pipeline Safety and the operator do not agree as to the cause of the failure.
 2. Within 48 hours after telephonic notification pursuant to subsection (1), the Office of Pipeline Safety shall notify the operator that either:
 - a. The Office of Pipeline Safety is directing the operator to have the portion of the pipeline that was removed tested by a laboratory to determine the cause or causes of the failure; or
 - b. The Office of Pipeline Safety is not directing laboratory testing and the operator may discard the portion of the pipeline that was removed;
 - c. The Office of Pipeline Safety shall confirm its notification in writing.
 3. If the Office of Pipeline Safety directs laboratory testing pursuant to subsection (2)(a):
 - a. The Office of Pipeline Safety shall:
 - i. Determine the laboratory that will do the testing pursuant to subsection (4) and the period of time within which the testing is to be completed.
 - ii. Approve the number and types of tests to be performed.
 - iii. Notify the operator of its determinations pursuant to subsections (3)(a)(i) and (ii).
 - b. The operator shall:
 - i. Notify the Office of Pipeline Safety of the number and types of tests proposed by the operator.
 - ii. Notify the Office of Pipeline Safety of the date and time of any laboratory tests at least 20 days before the tests are done.
 - iii. At the request of the Office of Pipeline Safety, ensure that a representative of the Office of Pipeline Safety is permitted to observe any or all of the tests.
 - iv. Ensure that the original laboratory test results are provided to the Office of Pipeline Safety within 30 days of the completion of the tests.
 - v. Pay for the laboratory testing.
 4. In determining a laboratory pursuant to subsection (3)(a)(i), the Office of Pipeline Safety shall:
 - a. Submit a written request to at least three different laboratories for bids to conduct the testing.
 - b. Consider the qualifications of the respondent laboratories to perform the testing, including:
 - i. Past experience in performing the required test or tests according to ASTM International standards.
 - ii. Any recognition that the laboratory may demonstrate with national or international laboratory accreditation bodies.
 - c. Select the laboratory that offers the optimum balance between cost and demonstrated ability to perform the required test or tests.
 - d. The Office of Pipeline Safety shall not select a laboratory pursuant to this subsection before either of the following, whichever occurs first:
 - i. The Office of Pipeline Safety has received written bids from at least three different laboratories.
 - ii. Thirty days from the date of the request for bids has passed.
- T. All repair work performed on an existing intrastate pipeline transporting LNG, hazardous liquids, natural gas or other gas will comply with the provisions of this Article.
- U. The Commission may waive compliance with any of the aforementioned parts upon a finding that such a waiver is in the interest of public and pipeline safety.
- V. To ensure compliance with provisions of this rule the Commission or an authorized representative thereof may enter the premises of an operator of an intrastate pipeline to inspect and investigate the property, books, papers, business methods, and affairs that pertain to the pipeline system operation.
- W. All other Commission administrative rules are superseded to the extent they are in conflict with the pipeline safety provi-

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

sions of this Article.

R14-5-203. Pipeline Incident Reports and Investigations

A. Applicability. This rule applies to all intrastate pipeline systems.

B. Required incident reports by telephone:

1. Operators of an intrastate pipeline transporting LNG, natural gas or other gas will notify by telephone the Office of Pipeline Safety immediately upon discovery of the occurrence of any of the following:
 - a. The release of natural gas, other gas or liquefied natural gas (LNG) from a pipeline or LNG facility, when any of the following results:
 - i. Death or personal injury requiring hospitalization.
 - ii. An explosion or fire not intentionally set by the operator.
 - iii. Property damage, including the value of the gas lost, estimated in excess of \$5,000.
 - b. Emergency transmission pipeline shutdown.
 - c. News media inquiry.
 - d. Overpressure of a pipeline system where a pipeline operating at less than 12 PSIG exceeds MAOP by 50%, where a pipeline operating between 12 PSIG and 60 PSIG exceeds MAOP by 6 PSIG or where a pipeline operating over 60 PSIG exceeds MAOP plus 10%.
 - e. Permanent or temporary discontinuance of gas service to a master meter system or when assisting with the isolation of any portion of a gas master meter system due to a failure of a leak test.
 - f. Emergency shutdown of a LNG process or storage facility.
2. Operators of an intrastate pipeline transporting hazardous liquid will notify by telephone the Office of Pipeline Safety immediately upon discovery of the occurrence of any of the following:
 - a. Death or personal injury requiring hospitalization.
 - b. An explosion or fire not intentionally set by the operator.
 - c. Property damage estimated in excess of \$5,000.
 - d. Pollution of any land, stream, river, lake, reservoir, or other body of water that violates applicable environmental quality, water quality standards, causes a discoloration of the surface of the water or adjoining shoreline, or deposits sludge or emulsion beneath the surface of the water or upon adjoining shorelines.
 - e. News media inquiry.
 - f. Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8 cubic meters) resulting from a pipeline maintenance activity if the release is:
 - i. Not otherwise reportable under this Section;
 - ii. Not one described in 49 CFR 195.52(a)(4) (1994 2010 revision and no future revisions), incorporated by reference and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004;
 - iii. Confined to company property or pipeline right-of-way; and
 - iv. Cleaned up promptly.
 - g. Any release of hazardous liquid or carbon dioxide, that was significant in the judgment of the operator even though it did not meet the criteria of this subsection.
3. Telephone incident reports will include the following information:
 - a. Name of the pipeline system operator,
 - b. Name of the reporting party,
 - c. Job title of the reporting party,
 - d. The reporting party's telephone number,
 - e. Location of the incident,
 - f. Time of the incident, and
 - g. Fatalities and injuries, if any.

C. Require written incident report:

1. Operators of an intrastate pipeline transporting natural gas, LNG or other gases will file a written incident report when an incident occurs involving a natural gas or other gas pipeline that results in any of the following:
 - a. An explosion or fire not intentionally set by the operator.
 - b. Injury to a person that results in one or more of the following:
 - i. Death.
 - ii. Loss of consciousness.
 - iii. Need for medical treatment requiring hospitalization.
 - c. Property damage, including the value of the lost gas, estimated in excess of \$5,000.
 - d. Emergency transmission pipeline shutdown.
 - e. Overpressure of a pipeline system where a pipeline operating at less than 12 PSIG exceeds MAOP by 50%,

Notices of Proposed Rulemaking

- where a pipeline operating between 12 PSIG and 60 PSIG exceeds MAOP by 6 PSIG or where a pipeline operating over 60 PSIG exceeds MAOP plus 10%.
- f. Emergency shutdown of a LNG process or storage facility.
 2. Written incident reports concerning natural gas or other gas pipeline systems will be in the following form:
 - a. PHMSA F7100.1 - Distribution System: Incident Report, (~~March, 2004~~ January, 2010 Revision and no future revisions) incorporated by reference and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004.
 - b. PHMSA F7100.2 - Transmission and Gathering System: Incident Report, (January, ~~2002~~ 2010 Revision and no future revisions) incorporated by reference and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004.
 - c. Written incident reports with respect to LNG facilities will be in an investigative form defining the incident and corrective action taken to prevent a reoccurrence.
 3. Operators of an intrastate pipeline transporting hazardous liquid will make a written incident report on PHMSA F 7000-1, (January ~~2004~~ 2010 Revision and no future revisions), incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004, when there is a release of hazardous liquid which results in any of the following:
 - a. An explosion or fire not intentionally set by the operator.
 - b. Injury to a person that results in one or more of the following:
 - i. Death.
 - ii. Loss of consciousness.
 - iii. Inability to leave the scene of the incident unassisted.
 - iv. Need for medical treatment.
 - v. Disability which interferes with a person's normal daily activities beyond the date of the incident.
 - c. Release of 5 gallons (19 liters) or more of hazardous liquid or carbon dioxide, except that no report is required for a release of less than 5 barrels (0.8 cubic meters) resulting from a pipeline maintenance activity if the release is:
 - i. Not otherwise reportable under this Section;
 - ii. Not one described in 49 CFR 195.52(a)(4); (~~1994~~ 2010 revision and no future revisions), incorporated by reference and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004;
 - iii. Confined to company property or pipeline right-of-way; and
 - iv. Cleaned up promptly.
 - d. Estimated property damage, including cost of clean-up and recovery, value of lost product, and damage to the property of the operator or others, or both, exceeding \$5,000.
 - e. News media inquiry.
 4. Written incident reports as required in this Section will be filed with the Office of Pipeline Safety, within the time specified below:
 - a. Natural gas, LNG or other gas - within 20 days after detection.
 - b. Hazardous liquids - within 15 days after detection.
 5. The Operators shall also file a copy of all DOT required written incident reports electronically with the ~~Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, Rm. 7128, 400 Seventh St., S.W., U.S. Department of Transportation, at <http://opsweb.phmsa.dot.gov/> or submit a written request for an alternative reporting method to the Information Resource Manager, office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, PHP-20 1200 New Jersey Avenue, SE, Washington, DC 20590.~~
 6. Operators of a natural gas or other gas pipeline system will request a clearance from the Office of Pipeline Safety prior to turning on or reinstating service to a master meter operator.
- D. Investigations by the Commission:**
1. The Office of Pipeline Safety will investigate the cause of incidents resulting in death or serious injury.
 2. Pursuant to an investigation under this rule, the Commission, or an authorized agent thereof, may:
 - a. Inspect all plant and facilities of a pipeline system.
 - b. Inspect all other property, books, papers, business methods, and affairs of a pipeline system.
 - c. Make inquiries and interview persons having knowledge of facts surrounding an incident.
 - d. Attend, as an observer, hearings and formal investigations concerning pipeline system operators.
 - e. Schedule and conduct a public hearing into an incident.
 3. The Commission may issue subpoenas to compel the production of records and the taking of testimony.
 4. Incidents not reported in accordance with the provisions of this rule will be investigated by the Office of Pipeline Safety.
 5. Incidents referred to in incomplete or inaccurate reports will be investigated by the Office of Pipeline Safety.
 6. Late filed incident reports will be accompanied by a letter of explanation. Incidents referred to in late filed reports

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

may be investigated by the Office of Pipeline Safety.

R14-5-204. Annual Reports

- A. ~~Except for operators of an intrastate pipeline transporting LNG, all other~~ All intrastate pipeline operators will file with the Office of Pipeline Safety, not later than March 15, for the preceding calendar year, the following appropriate report(s):
1. PHMSA F 7000-1.1 (~~April 2006~~ June 2011 Edition and no future editions) – “Annual Report for calendar year 20___, hazardous liquid or carbon dioxide systems” and “Instructions for completing PHMSA F 7000-1.1 (Rev. ~~04-2006-01-2011~~), Annual Report for calendar year 20___ hazardous liquid or carbon dioxide systems,” incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and the ~~Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, at <http://opsweb.phmsa.dot.gov/>. U.S. Department of Transportation, Rm. 7128, 400 Seventh St., S.W., Washington, DC 20590.~~
 2. PHMSA F7100.1-1 (~~December 2005~~ January 2011 Edition and no future editions) - “Annual Report for Calendar Year 20___, Gas Distribution System” and “Instructions for Completing PHMSA Form F7100.1-1, Annual Report for Calendar Year 20___, Gas Distribution System,” incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and the ~~Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, at <http://opsweb.phmsa.dot.gov/>. U.S. Department of Transportation, Rm. 7128, 400 Seventh St., S.W., Washington, D.C. 20590.~~
 3. PHMSA F7100.2-1 (~~December 2005~~ June 2011 Edition and no future editions) - “Annual Report for Calendar Year 20___, Gas Transmission and Gathering Systems” and “Instructions for Completing Form PHMSA F7100.2-1 (Rev. 12-2005), Annual Report for Calendar Year 20___, Gas Transmission and Gathering Systems,” incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and the ~~Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, at <http://opsweb.phmsa.dot.gov/>. U.S. Department of Transportation, Rm. 7128, 400 Seventh St., S.W., Washington, D.C. 20590.~~
 4. PHMSA F7100.31 (November 2010 Edition and no future editions) – “Annual Report for Calendar Year 20___, Liquefied Natural Gas (LNG) Facilities; and “Instructions for Completing Form F7100.3-1 (10-2010), Annual Report for Calendar Year 20___, Liquefied Natural Gas (LNG) Facilities.” incorporated by reference and copies available from the Office of Pipeline Safety, 2200 N. Central Avenue, Suite 300, Phoenix, AZ 85004 and the Pipeline and Hazardous Materials Safety Administration, at <http://opsweb.phmsa.dot.gov/>.
- B. The operator will also file a copy of all required annual reports by March 15 to the ~~Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, at <http://opsweb.phmsa.dot.gov/>. U.S. Department of Transportation, Rm. 7128, 400 Seventh St., S.W., Washington, D.C. 20590-0001.~~

R14-5-205. Master Meter System Operators

- A. Applicability. This rule applies to the construction, reconstruction, repair, emergency procedures, operation and maintenance of all master meter systems, as a condition of receiving service from public service corporations. Noncompliance with this rule by operators of a master meter system shall constitute grounds for termination of service by the public service corporation when informed in writing by the Office of Pipeline Safety. In case of an emergency, the Office of Pipeline Safety may give the public service corporation oral instructions to terminate service, with written confirmation to be furnished within 24 hours.
- B. Subject to the definitional changes in R14-5-201 and the revisions noted in subsection (C), the Commission adopts, incorporates, and approves as its own 49 CFR 191 and 192, revised as of ~~August 1, 2006~~ October 1, 2010 (and no future amendments), incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954.
- C. The above mentioned incorporated parts of 49 CFR, except Part 191, are revised as follows:
1. Substitute “Commission” where ~~“Administrator of the Research and Special Programs Administration,”~~ or “Office of Pipeline Safety” (OPS) ~~appear~~ appears.
 2. Substitute Office of “Pipeline Safety, Arizona Corporation Commission, at its office in Phoenix, Arizona” where the address for the ~~Information Resources Manager, Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation~~ appears.
- D. Operators of a master meter system will establish an Operation and Maintenance Plan (O & M) including an emergency plan. The plans must be maintained at the master meter system location.
- E. Operators of a master meter system will not construct any part of a natural gas or other gas system under a building or permit a building to be placed over a pipeline. Within 180 days of discovery of a building being located over a pipeline, the operator shall remove the building from over the pipeline, relocate the pipeline or discontinue the service to the pipeline located under the building.
- F. Operators of a master meter system will not install Acrylonitrile-Butadiene-Styrene (ABS) or aluminum pipe in their sys-

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

tems.

- G. Operators of a master meter system will not use solvent cement to join together plastic pipe manufactured from different materials unless the operator utilizes a joining procedure in accordance with the specifications of 49 CFR 192, Subpart F, ~~August 1, 2006~~ October 1, 2010 (and no future amendments), incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and the United States Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954.
- H. Operators of a master meter system that construct a pipeline or any portion thereof using plastic pipe will install, at a minimum, a 14-gauge coated or corrosion resistant, electrically conductive wire as a means of locating the pipe while it is underground. Tracer wire shall not be wrapped around the plastic pipe, tracer wire may be taped, or attached in some manner to the pipe provided that the adhesive or the attachment is not detrimental to the integrity of the pipe wall.
- I. Operators of a master meter system that construct an underground pipeline using plastic pipe, will bury the installed pipe with a minimum of 6 inches of sandy type soil surrounding the pipe for bedding and shading, free of any rock or debris, unless otherwise protected and approved by the Office of Pipeline Safety. Steel pipe shall be installed with bedding and shading, free of any debris or materials injurious to the pipe coating, unless otherwise protected and approved by the Office of Pipeline Safety.
- J. Operators of a master meter system that construct an underground pipeline using plastic pipe will install the pipe with sufficient slack to allow for thermal expansion and contraction. In addition, all plastic pipe and fittings shall be marked CD, CE, CF or CG as required by ASTM D2513 (1995c Edition and no future editions), incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and ASTM International, 100 Barr Harbor Dr., P.O. Box C700, W. Conshohocken, PA 19428-2959, for areas where the service temperature is above 100° F.
- K. Operators of a master meter gas system shall qualify welding procedures and shall perform welding of steel pipelines in accordance with API Standard 1104. Each welder must be qualified in accordance with API Standard 1104, 49 CFR 192, ~~appendix A~~ 192.7.
- L. All repair work performed on existing master meter systems will comply with the provisions of this Article.
- M. Operators of a master meter system will not construct any part of a natural gas or other gas system closer than 8 inches to any other underground structure.
- N. Operators of a master meter system will file a Notice of Construction 30 days prior to commencement of the construction of any pipeline. The Notice will contain the following information:
 - 1. The dates of construction,
 - 2. The size and type of pipe to be used,
 - 3. The location of construction, and
 - 4. The Maximum Allowable Operating Pressure (MAOP).
- O. Operators of a master meter system will perform leakage surveys at intervals not exceeding 15 months but at least once each calendar year and will survey and grade all detected leakage by the following guide -- ASME Guide for Gas Transmission and Distribution Pipeline System, Guide Material, Appendix G-11-1983 (1983 Revision and no future revisions), except 4.4(c), incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004 and the ~~ASME, United Engineering Center, 345 E. 47th St., New York, NY 10017~~ ASME, Three Park Avenue, New York, NY 10016-5990. ("Should" as referenced in the guide will be interpreted to mean "shall".) Leak detection procedures shall be approved by the Office of Pipeline Safety.
- P. Laboratory testing of master meter systems shall be conducted in accordance with the following:
 - 1. If an operator of a master meter system, other gas or hazardous liquid pipeline removes a portion of a failed pipeline, where the cause of the failure is unknown, as the result of an incident that requires a telephonic or written incident report under R14-5-203(B) or (C), the operator shall retain the portion that was removed and shall telephonically notify the Office of Pipeline Safety of the removal within two hours after the removal is completed. A notice made pursuant to this subsection shall include all of the following:
 - a. Identity of the failed pipeline;
 - b. Description and location of the failure;
 - c. Date and time of the removal;
 - d. Length or quantity of the removed portion;
 - e. Storage location of the removed portion;
 - f. Any additional information about the failure or the removal of the portion of the pipeline that failed that is requested by the Office of Pipeline Safety;
 - g. An unknown failure is any failure where:
 - i. ~~the~~ The cause of the failure is not observable external corrosion, third-party damage, natural or other outside forces, construction or material defect, equipment malfunction or incorrect operations; or
 - ii. is ~~is~~ any failure where the Office of Pipeline Safety and the operator do not agree as to the cause of the failure.
 - 2. Within 48 hours after telephonic notification pursuant to subsection (1), the Office of Pipeline Safety shall notify the

Arizona Administrative Register / Secretary of State
Notices of Proposed Rulemaking

- operator that either:
- a. The Office of Pipeline Safety is directing the operator to have the portion of the pipeline that was removed tested by a laboratory to determine the cause or causes of the failure.
 - b. The Office of Pipeline Safety is not directing laboratory testing and the operator may discard the portion of the pipeline that was removed.
 - c. The Office of Pipeline Safety shall confirm its notification in writing.
3. If the Office of Pipeline Safety directs laboratory testing pursuant to subsection (2)(a):
- a. The Office of Pipeline Safety shall:
 - i. Determine the laboratory that will do the testing pursuant to subsection (4) and the period of time within which the testing is to be completed.
 - ii. Approve the number and types of tests to be performed.
 - iii. Notify the operator of its determinations pursuant to subsections (3)(a)(i) and (ii).
 - b. The operator shall:
 - i. Notify the Office of Pipeline Safety of the number and types of tests proposed by the operator.
 - ii. Notify the Office of Pipeline Safety of the date and time of any laboratory tests at least 20 days before the tests are done.
 - iii. At the request of the Office of Pipeline Safety, ensure that a representative of the Office of Pipeline Safety is permitted to observe any or all of the tests.
 - iv. Ensure that the original laboratory test results are provided to the Office of Pipeline Safety within 30 days of the completion of the tests.
 - v. Pay for the laboratory testing.
4. In determining a laboratory pursuant to subsection (3)(a)(i), the Office of Pipeline Safety shall:
- a. Submit a written request to at least three different laboratories for bids to conduct the testing.
 - b. Consider the qualifications of the respondent laboratories to perform the testing, including:
 - i. Past experience in performing the required test or tests according to ASTM International standards.
 - ii. Any recognition that the laboratory may demonstrate with national or international laboratory accreditation bodies.
 - c. Select the laboratory that offers the optimum balance between cost and demonstrated ability to perform the required test or tests.
 - d. The Office of Pipeline Safety shall not select a laboratory pursuant to this subsection before either of the following, whichever occurs first:
 - i. The Office of Pipeline Safety has received written bids from at least three different laboratories.
 - ii. Thirty days from the date of the request for bids has passed.
- Q.** Operators of a master meter system will file an annual report with the Commission on Commission Form 4-90/15M (1990 Edition and no future editions) MM-04 (Latest revision), "Annual Report for Calendar Year 20___, Small Operators of Gas Distribution System," incorporated by reference, and copies available from the Office of Pipeline Safety, 2200 N. Central Ave., Ste. 300, Phoenix, AZ 85004. This report will be filed with the Office of Pipeline Safety not later than April 15 for the preceding calendar year.
- R.** The Commission may waive compliance with any of the aforementioned parts upon a finding that such a waiver is in the interest of public safety.
- S.** To ensure compliance with provisions of this rule, the Commission or an authorized representative thereof, may enter the premises of an operator of a master meter system to inspect and investigate the property, books, papers, business methods, and affairs that pertain to the operation of the master meter system.
- T.** All other Commission administrative rules are superseded to the extent they are in conflict with the pipeline safety provisions of this Article.

SECRETARY OF STATE
FILED

2011 JUL 29 PM 1:10

AGENCY RECEIPT

Notice of Rulemaking Docket Opening

1. **Agency name:** Arizona Corporation Commission
2. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking, listed in alphabetical and numerical order:**

<u>Subchapters, Articles, Parts, and Sections</u> (in alphabetical and numerical order)	<u>Action</u>
R14-5-202	Amended
R14-5-203	Amended
R14-5-204	Amended
R14-5-205	Amended

Notices of Rulemaking Docket Opening

1740 W. Adams St., Suite 203
Phoenix, AZ 85007

Telephone: (602) 542-1020
Fax: (602) 364-1150
E-mail: salowt@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments will be accepted at the addresses listed in item 4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking
Notice of Proposed Rulemaking: 17 A.A.R. 1606, August 19, 2011 (*in this issue*)

NOTICE OF RULEMAKING DOCKET OPENING

**CORPORATION COMMISSION
TRANSPORTATION**

Editor's Note: The following Notice of Rulemaking Docket Opening was exempt from Executive Order 2011-05 as issued by Governor Brewer. (See the text of the executive order on page 1641.)

[R11-106]

1. Title and its heading: 14, Public Service Corporations; Corporations and Associations; Securities Regulation

Chapter and its heading: 5, Corporation Commission – Transportation

Article and its heading: 2, Pipeline Safety

Section numbers: R14-5-202, R14-5-203, R14-5-204, R14-5-205

2. The subject matter of the proposed rule:

The proposed rules will conform to the most recent amendments of the Federal Pipeline Safety Regulations, which is required by the Commission's Agreement with the United States Department of Transportation, Office of Pipeline Safety, and required for the Commission's Pipeline Safety Group to receive federal funds for Pipeline Safety Programs.

The agency docket number, if applicable:

RG-00000A-11-0161

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 17 A.A.R. 1610, August 19, 2011 (*in this issue*)

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Charles Hains, Commission Counsel, Legal Division

Address: Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Telephone: (602) 542-3402

Fax: (602) 542-4870

E-mail: Chains@azcc.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Public comment will be held on September 19, 2011, beginning at 2:00 p.m. or as soon as practicable thereafter in Hearing Room 1 at the Commission's Phoenix offices of the Arizona Corporation Commission located at 1200 W. Washington St., Phoenix, AZ 85007. Written comments can be submitted on or before September 19, 2011. Comments should be submitted to Docket Control at the above address. Please reference docket number RG-00000A-11-0161 on all documents. Oral comments may be provided at the proceeding to be held on September 19, 2011.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Commission will likely bring this to Open Meeting for final approval in October 2011.

Notice of Proposed Rulemaking: 17 A.A.R. 1610, August 19, 2011 (*in this issue*)