

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Proposed Amendment of the)
Commission's Rules Relating to Natural Gas Safety)

File No. GX-2020-0112

STAFF COMMENTS

COMES NOW the Staff of the Missouri Public Service Commission and states as follows:

1. Staff supports the proposed amendments to 20 CSR 4240-40.020, 40.030, 40.033 and 40.080, published in the Missouri Register dated January 15, 2020. The proposed amendments include adoption of amendments to the corresponding federal pipeline safety standards, and minor editorial changes to the Missouri gas safety rules for purposes of clarification and to improve ease of reference. In addition, the proposed amendments include updates to references of the Code of State Regulations (CSR) to reflect the Missouri Public Service Commission's move from the Department of Economic Development (Title 4, Division 240) to the renamed Department of Commerce and Insurance (Title 20, Division 4240), effective August 28, 2019. Attached to this filing are Staff's comments in support and Staff's further explanation of the proposed amendments.

2. Federal law requires that the state take measures to adopt each applicable federal pipeline safety standard within a prescribed period of time.¹ Goals are set for state programs by the Pipeline and Hazardous Materials Safety Administration (PHMSA)

¹ 49 U.S. Code § 60105 requires, among other things, that the state authority adopt each applicable federal pipeline safety standard by the date of its annual certification, or in the event a standard was established within 120 days before the date of the certification, be taking steps to adopt that standard.

and enforcement of those goals is by reductions in federal grant-in-aid funding and the potential loss of federal certification² if those goals are not met.

WHEREFORE, Staff respectfully submits these comments for the Commission's consideration and supports the proposed amendments to 20 CSR 4240-40.020, 40.030, 40.033 and 40.080.

Respectfully submitted,

/s/ Jamie S. Myers

Jamie S. Myers
Legal Counsel
Mo. Bar No. 68291
200 Madison St, Ste. 800
P.O. Box 360
Jefferson City, MO 65102
Phone: 573-526-6036
Fax: 573-751-9285
E-mail: jamie.myers@psc.mo.gov

Attorney for the Staff of the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 14th day of February 2020, to all counsel of record.

/s/ Jamie S. Myers

² The Commission's Safety Engineering Department Staff is granted authority to implement the state pipeline safety program by annual certification from the United States Department of Transportation (DOT).

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Comments of the Staff of the Missouri Public Service Commission

Staff supports the proposed amendments to 20 CSR 4240-40.020, 40.030, 40.033 and 40.080 published in the Missouri Register dated January 15, 2020. The proposed amendments to the Chapter 40 rules include the following:

- The proposed amendment to 20 CSR 4240-40.020 amends the rule to adopt additional portions of the corresponding federal standards in 49 CFR part 191 related to reporting requirements for liquefied natural gas and underground natural gas storage facilities, makes clarifications and editorial changes, and updates references to CSR.
- The proposed amendment to 20 CSR 4240-40.030 modifies the rule to address amendments to portions of the corresponding federal pipeline safety standards in 49 CFR part 192 promulgated between October 1, 2017 and December 1, 2018, makes clarifications and editorial changes, and updates references to CSR.
- The proposed amendment to 20 CSR 4240-40.033 modifies the rule to address amendments to the corresponding federal standards in 49 CFR part 193 between October 1, 2017 and October 1, 2018, and updates references to CSR.
- The proposed amendment to 20 CSR 4240-40.080 modifies the rule to adopt additional portions of the corresponding federal standards in 49 CFR 199 related to liquefied natural gas facilities, addresses amendments to 49 CFR part 99 between October 1, 2017 and October 1, 2018, a subsequent amendment published in the Federal Register on April 23, 2019, page 84 FR 16670, and updates references to CSR.