

Title 20 – DEPARTMENT OF COMMERCE AND INSURANCE
Division 4240 – Public Service Commission
Chapter 40 – Gas Utilities and Gas Safety Standards

ORDER OF RULEMAKING

By the authority vested in the Public Service Commission under sections 386.250, 386.310, and 393.140, RSMo 2016, the commission amends a rule as follows:

20 CSR 4240-40.080 Drug and Alcohol Testing.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on January 15, 2020 (45 MoReg 138-139). No changes have been made in the text of the proposed amendment so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the Code of State Regulations.

SUMMARY OF COMMENTS: The public comment period ended February 14, 2020, and the commission held a public hearing on the proposed rule on February 24, 2020. The commission received a timely written comment from the staff of the commission. Robin Ganahl of Kansas City, Missouri, submitted a written comment on February 20, 2020. Jamie Myers, representing the commission's staff, appeared at the hearing and offered comments.

COMMENT #1: Staff's written comment explains that the proposed amendment adopts corresponding changes to federal pipeline safety standards and includes minor editorial changes to clarify and improve ease of reference. In addition, the amendment updates references within the rules to reflect the commission's move from the Department of Economic Development to the Department of Commerce and Insurance.

RESPONSE: The commission will make no change in response to this comment.

COMMENT #2: Robin Ganahl expressed concern about the prevalence of gas leaks in her neighborhood. She urges the commission to require Missouri gas utilities to put maps of known leaks on their websites. Jamie Myers, speaking on behalf of the commission's staff, indicated staff would look at the concerns expressed by Ms. Ganahl. Ms. Myers pointed out that before it could require the utilities to put a map of known leaks on their websites, the commission would need to obtain feedback from the utilities and other interested stakeholders about

the advisability and costs of such a requirement. Staff indicated it would consider Ms. Ganahl's comment in the next update of the gas safety rules.

RESPONSE: The commission will consider Ms. Ganahl's suggestion, but it is too late in the rulemaking process to obtain the feedback from stakeholders necessary to implement that suggestion in this rulemaking. The commission will make no change in response to this comment.