

Decision No. C25-0784

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 25R-0455GPS

IN THE MATTER OF THE TEMPORARY RULES IMPLEMENTING RULES REGULATING
PIPELINE OPERATORS AND GAS PIPELINE SAFETY, 4 CODE OF COLORADO
REGULATIONS 723-11.

**COMMISSION DECISION
ADOPTING TEMPORARY RULES**

Issued Date: October 31, 2025

Adopted Date: October 29, 2025

I. BY THE COMMISSION

A. Statement

1. This matter comes before the Commission for immediate adoption of temporary rules to implement certain critical amendments to the Rules Regulating Pipeline Operators and Gas Pipeline Safety contained in 4 *Code of Colorado Regulations* (“CCR”) 723-11. These temporary rules are necessary to timely implement House Bill (“HB”) 25-1280, which was passed on April 30, 2025. HB 25-1280 made changes to § 40-2-115(1)(g), C.R.S., requiring the Commission to “adopt rules related to pipeline safety and repair and the use of advanced leak detection technology in accordance with subsection (1)(d)(II)(E)” on or before November 1, 2025.

2. The Commission opened rulemaking Proceeding No. 25R-0280GPS to implement HB 25-1280 on June 26, 2025. Recommended Decision No. R25-0735 adopting rules was issued on October 15, 2025, but the rules will not become final until after November 1, 2025.

3. Therefore, through this Decision, we adopt temporary rules necessary to implement the statutory requirement set forth in § 40-2-115(1)(g), C.R.S., by November 1, 2025. These temporary rules are the adopted rules issued with Recommended Decision No. R25-0735, and are rules “related to pipeline safety and repair and the use of advanced leak detection technology in accordance with subsection (1)(d)(II)(E)” which are necessary to timely comply with § 40-2-115(1)(g), C.R.S. Adoption of the rules issued with Recommended Decision No. R25-0735 through this Decision is a temporary measure and does not preclude rulemaking participants from taking exception to the Recommended Decision in Proceeding No. 25R-0280GPS. The final rules that are issued after any exceptions or applications for Rehearing, Reargument, or Reconsideration will be the permanent rules adopted and will replace these temporary rules.

4. In accordance with § 40-2-108(2), C.R.S., these temporary rules are effective for 210 days from the effective date of this Decision, or until the Commission issues permanent rules in this matter, whichever period is less.

5. Attachments A and B to this Decision are the temporary rules in legislative (strikeout/underline) format and final format, respectively. The temporary rules are also publicly available through the Commission’s E-Filings system¹ at:

https://www.dora.state.co.us/pls/efi/EFI.Show_Docket?p_session_id=&p_docket_id=25R-0455GPS

B. Discussion, Findings, and Conclusions

6. Rulemaking is a lengthy process involving a notice period, opportunity to hear the public’s views both orally and in writing, time for the Commission to analyze and adopt

¹ From the *Electronic Filings* (E-Filings) system page (<https://www.dora.state.co.us/pls/efi/EFI.homepage>), the rules can also be accessed by selecting “Search” and entering this proceeding number (25R-0455GPS) in the “Proceeding Number” box and then selecting “Search”.

the final rules, and time to file the final rules with the Secretary of State for publication in *The Colorado Register*. While the Commission worked to meet the statutory November 1, 2025 deadline, the length of the rulemaking process took longer than expected. If the Commission waits until the permanent rules are in place, the Commission will fail to timely implement HB 25-1280 and will be out of compliance with current state law regarding use of advanced leak detection technology and repair requirements. Thus, the Commission finds that immediate adoption of these temporary rules implementing HB 25-1280 is imperatively necessary to ensure the Commission adopts rules related to pipeline safety and repair and the use of advanced leak detection technology in accordance with § 40-2-115(1)(d)(II)(E), C.R.S., on or before November 1, 2025, as prescribed by state law, and further, that compliance with the requirements to complete a permanent rulemaking would be contrary to the public interest.

7. The temporary rules shall be effective on the issued date of this Decision and shall remain in effect until permanent rules become effective or for 210 days, whichever period is less.

8. The statutory authority for the temporary rules is found, generally, at §§ 40-1-103.5 and 40-2-108, C.R.S. (authorizing the Commission to promulgate rules necessary to administer and enforce Title 40 and § 24-4-103(6), C.R.S. (allowing and specifying procedures for adoption of temporary rules) and, specifically, in HB 25-1280, as codified at § 40-2-115, C.R.S (requiring adoption of rules related to pipeline safety and repair and the use of advanced leak detection technology by November 1, 2025).

II. ORDER

A. The Commission Orders That:

1. The rules in final format available in this Proceeding through the Commission's E-Filings system are hereby adopted as temporary rules for the reasons described above and pursuant to the provisions of § 24-4-103(6)(a), C.R.S.

2. The temporary rules shall be effective on the Issued Date of this Decision. Such rules shall remain in effect until permanent rules become effective or for 210 days, whichever period is less.

3. The 20-day period provided in § 40-6-114, C.R.S., within which to file applications for rehearing, reargument, or reconsideration, begins on the first day following the effective date of this Decision.

4. This Decision is effective upon its Issued Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
October 29, 2025.**

(S E A L)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

TOM PLANT

Commissioners