

Decision No. R24-0385-I

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 24R-0078GPS

IN THE MATTER OF THE PROPOSED AMENDMENTS TO THE RULES REGULATING PIPELINE OPERATORS AND GAS PIPELINE SAFETY, 4 CODE OF COLORADO REGULATIONS 723-11 TO IMPLEMENT HOUSE BILL 23-1216 AND SENATE BILL 23-285.

**INTERIM DECISION OF
ADMINISTRATIVE LAW JUDGE
CONOR F. FARLEY
PROPOSING FURTHER CHANGES TO RULES**

Mailed Date: June 5, 2024

I. STATEMENT

A. Background

1. On February 8, 2024, the Colorado Public Utilities Commission initiated this proceeding by issuing a Notice of Proposed Rulemaking (NOPR) to amend the Rules Regulating Pipeline Operators and Gas Pipeline Safety.¹ The NOPR proposed changes to the Rules 11001, 11008, and 11206, described those changes in detail and the justification therefore, attached the Rules in legislative (*i.e.*, strikeout/underline) format and in a clean version, established deadlines of March 22, 2024, and April 5, 2024 for initial comments and response comments concerning the proposed rules, respectively, and scheduled a remote hearing for April 15, 2024, at 11:30 a.m. for oral comments regarding the proposed rules. The NOPR also referred this proceeding to an

¹ Decision No. C22-0099.

Administrative Law Judge (ALJ). The proceeding was subsequently assigned to the undersigned ALJ.

2. Black Hills Colorado Gas, Inc., doing business as Black Hills Energy (Black Hills), Colorado Natural Gas, Inc. (CNG), and Public Service Company of Colorado (Public Service) filed initial comments. Black Hills, Atmos Energy Corporation, Public Service, and the Office of the Utility Consumer Advocate filed response comments.

3. At 11:30 a.m. on April 15, 2024, the ALJ held the public comment hearing noticed in the NOPR. The ALJ discussed the proposed rules and the initial and response comments with the participants at the hearing. During the remote public comment hearing on April 15, 2024, the undersigned ALJ announced the continuation of the hearing.

4. On May 28, 2024, the ALJ issued Decision No. R24-0351-I that memorialized the continuance of the proceeding to June 24, 2024 at 11:30 a.m.

B. Further Proposed Changes

5. Attachment A to this Decision includes further proposed changes to the rules in light of the written and oral comments submitted to date. The Commission's proposed changes included in Attachment A to the NOPR are shown in blue line. The ALJ's further proposed changes are shown in red line. Attachment B is a clean version of Attachment A in which all of the changes in Attachment A have been accepted.

6. Interested persons may submit pre-filed comments regarding the additional proposed changes in Attachment A hereto **by June 11, 2024**, and pre-filed comments responsive to the initial comments **by June 18, 2024**. The Commission will consider all submissions, whether oral or written. The Commission prefers that comments be filed using its E-Filing System at <https://www.dora.state.co.us/pls/efi/EFI.homepage>.

II. ORDER

A. It Is Ordered That:

1. The deadlines to submit pre-filed comments and responsive comments regarding the additional proposed changes in Attachment A to this Decision are June 11, 2024 and June 18, 2024, respectively.

2. At the time set for the continued remote hearing on June 24, 2024 at 11:30 a.m., interested persons may submit written comments and may present these orally unless the Administrative Law Judge deems oral comments unnecessary.

3. Interested persons may also submit written comments in this matter by filing them directly in this proceeding using the Commission’s e-filing system, including them in an email sent to the Commission, or by entering them through the Commission’s website by clicking on the “FILE A COMMENT OR COMPLAINT” link on the Commission’s home page and then following the prompts. The Commission’s e-filing system, email address, and “FILE A COMMENT OR COMPLAINT” link can be found at <https://puc.colorado.gov/>.

4. Interested persons may also submit oral comments in this matter, either in English or in Spanish, by calling (303) 869-3490 and leaving a voicemail containing the comments.

5. Regardless of which of the above methods is used for submitting comments in this proceeding, the number of this proceeding (24R-0078GPS) should be identified in submitted comments to aid the Commission’s administrative staff in placing the comments in this proceeding.

6. The Commission will equally consider all comments submitted, whether oral or written.

7. This Decision is effective immediately.

(S E A L)



ATTEST: A TRUE COPY

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

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

Rebecca E. White,
Director