

Decision No. R11-0913-E

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

DOCKET NO. 11R-364GPS

IN THE MATTER OF THE PROPOSED RULES FOUND IN THE RULES REGULATING
GAS UTILITIES AND PIPELINE OPERATORS, 4 CODE OF COLORADO REGULATIONS
723-4.

ERRATA NOTICE

**RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
KEITH J. KIRCHUBEL
ADOPTING RULES**

Errata Notice mailed November 8, 2011
Original Decision No. R11-0913 mailed Date: August 29, 2011

1. The rules adopted by Decision No. R11-0913 contained several inadvertent, administrative errors which this errata notice corrects in Attachments B, the redlined version, and with the corresponding corrections in Attachment C, the clean copy of the rules.
2. Correct Attachment B and C:
 - In rule 4900(b)(V), correct the reference to "rules 4970 through 4999" for the drug and alcohol-testing program (which actually run from 4970 through rule 4975), by replacing "[rules 4970 through 4999]" with "[rules 4970 through 4975]".

- In rule 4901(p), correct the definition for "Major project" by inserting the text "covered by 49 C.F.R. § 192.1" which was inadvertently deleted from the proposed rules being adopted. The insertion is immediately after the text: "'Major project' means the construction of any new pipeline facility", so that rule 4901(p) reads with redline, in Attachment B, as:

(p) "Major project" means the construction of any new pipeline facility covered by 49 C.F.R. § 192.1, the repair, ~~integrity assessment~~, or upgrade of a pipeline segment, that originally is estimated to cost ~~one million~~ five hundred thousand dollars or more. As used in this rule, cost includes only the direct costs associated with the construction, repair, ~~integrity assessment~~, or upgrade.

and reads in clean copy, in Attachment C, as:

(p) "Major project" means the construction of any new pipeline facility covered by 49 C.F.R. § 192.1, the repair, or upgrade of a pipeline segment, that originally is estimated to cost five hundred thousand dollars or more. As used in this rule, cost includes only the direct costs associated with the construction, repair, or upgrade.

- In rule 4901(l), correct the definition for "Incident" by inserting the text "covered by 49 C.F.R. § 192.1" which was inadvertently deleted from the proposed rules being adopted. The insertion is immediately after the text: "'Incident' means a release of gas from a pipeline", so that rule 4901(l) reads with redline, in Attachment B, as:

(l) "Incident" means a release of gas from a pipeline covered by 49 C.F.R. § 192.1, or a release of liquefied natural gas or gas from ~~an~~ LNG facility, which results in any of the following:

and reads in clean copy, in Attachment C, as:

(l) "Incident" means a release of gas from a pipeline covered by 49 C.F.R. § 192.1, or a release of liquefied natural gas or gas from a LNG facility, which results in any of the following:

- In rule 4911(a), correct the url for the National Response Center by replacing the semi-colon with a colon so the url reads correctly as "http://www.nrc.uscg.mil".
- In rule 4911(c), correct the rule number 4911(c)(VIII) in Attachment C, to 4911(c)(VI). The rule number was correctly redlined in Attachment B.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

KEITH J. KIRCHUBEL

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director