

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 19R-0703GPS

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

**INTERIM DECISION ESTABLISHING SCHEDULE FOR
STAKEHOLDER PROCESS AND SCHEDULING
CONTINUED HEARING**

Mailed Date: March 12, 2020

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I. STATEMENT

A. Background

1. The Colorado Public Utilities Commission issued Decision No. C19-0983-I, which was a Notice of Proposed Rulemaking (NOPR) to amend the Rules Regulating Pipeline Operators and Gas Pipeline Safety (Pipeline Safety Rules), on December 9, 2019. The NOPR initiated this proceeding. The NOPR proposed significant changes to the Pipeline Safety Rules, 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 January 17, 2020 and

January 31, 2020 for initial comments and reply comments concerning the proposed rules, respectively, and scheduled a hearing for February 10, 2020 at 9:00 a.m. for oral comments regarding the proposed rules. The NOPR also referred this proceeding to an Administrative Law Judge (ALJ). The proceeding was subsequently assigned to the undersigned ALJ.

2. The American Petroleum Institute, Atmos Energy Corporation, Black Hills Colorado Gas, Inc. and Rocky Mountain Natural Gas LLC, Colorado Natural Gas, Inc., the Colorado Office of Consumer Counsel, the Colorado Oil and Gas Association, the Colorado Oil and Gas Conservation Commission, Colorado Natural Gas, Inc., Public Service Company of Colorado, and SP Pipeline Services Inc. submitted initial comments and/or reply comments by the deadlines specified in the NOPR.

3. At 9:00 a.m. on February 10, 2020, the ALJ held the hearing noticed in the NOPR. The ALJ discussed several of the proposed rules with the participants at the hearing. Based on the input of the commenters at the hearing, the ALJ continued the hearing to allow the commenters to engage in a stakeholder process to address and revise the proposed rules, submit revised proposed rules to the Commission, comment on those newly revised rules in writing, and schedule a continued hearing to receive additional oral comments regarding the revised proposed rules.

B. Schedule for Stakeholder Process

4. Based on the input provided at the February 10, 2020 hearing, there shall be an informal process in which stakeholders can provide input concerning the proposed rules to the Chief of the Gas Pipeline Safety Section of the Commission (Chief). The stakeholder process shall be organized by the Chief. The end-result of the process shall be two versions of newly revised rules that shall be filed with the Commission as attachments to a Notice that summarizes the stakeholder process. The first version shall be in legislative format (*i.e.*, ~~strikeout~~/underline)

that shows the changes from the previous version of the proposed rules filed with Decision No. C19-0983-I. The second version shall be filed in clean (*i.e.*, non-legislative) format. The Notice with attachments shall be filed by May 15, 2020.

5. Written comments and response comments concerning the newly revised rules are requested by June 5, 2020 and June 19, 2020, respectively. The Commission prefers and encourages all such comments to be filed in this Proceeding through the Commission's Electronic Filings (E-Filings) System at: <https://www.dora.state.co.us/pls/efi/EFI.homepage>.

C. Continued Hearing

6. The continued hearing on the proposed rules shall take place on July 10, 2020 at 9:00 a.m. Interested persons may provide oral comments at the public hearing unless the ALJ deems oral presentations unnecessary.

II. ORDER

A. It Is Ordered That:

1. The stakeholder process coordinated by the Chief of the Gas Pipeline Safety Section of the Commission described above shall take place. The end-result of the stakeholder process shall be the filing of newly revised rules as described above by May 15, 2020 as attachments to a Notice that summarizes the stakeholder process, as described above.

2. Comments from interested persons on the proposed amendments to the Rules are requested by June 5, 2020 and reply comments are requested no later than June 19, 2020.

3. The continued hearing on the proposed rules and related matters is scheduled as follows:

DATE: July 10, 2020

TIME: 9:00 a.m.

LOCATION: Commission Hearing Room
Suite 250
1560 Broadway
Denver, Colorado

4. At the time set for hearing, interested persons may submit written comments and may present these orally unless the Administrative Law Judge deems oral comments unnecessary.

5. This Decision is effective immediately.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge

ATTEST: A TRUE COPY

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

Doug Dean,
Director