



VIA ELECTRONIC MAIL

April 23, 2012

Washington Utilities and Transportation Commission
1300 S. Evergreen Park Dr. S.W.
P.O. Box 47250
Olympia, Washington, 98504-7250

**To: Mr. David W. Danner, Executive Director and Secretary Washington Utilities
Transportation Commission**

Dear Mr. Danner:

**Re: Washington Utilities and Transportation Commission
Rulemaking to Consider Damage Reporting Requirements for Hazardous Liquids Pipeline
Companies in WAC 485-75, Docket PL-120350**

Trans Mountain (Puget Sound) LLC ("Puget") as operated by Kinder Morgan Canada Inc., is in receipt of the Washington Utilities Transportation Commission's ("Commission") Letter entitled Notice of Opportunity to File Written Comments regarding the Commission's rulemaking to consider damage reporting requirements for hazardous liquids pipeline companies.

It is understood that the scope of concern of the Commission's letter is damage events. Puget would like to clarify that it employs the same investigation procedure for all activities that have either not been authorized by Puget, or that have been authorized but have resulted in a compromise to the integrity of the pipeline (either of which are referred to an unauthorized activity or "UA").

Kinder Morgan Canada Inc.

Suite 2700, 300 – 5th Avenue SW, Calgary, AB T2P 5J2

Phone: (800) 535-7219 Fax: (403) 514-6622 www.kindermorgan.com

Puget is supportive of the Commission's efforts to reduce the number of violations of the dig law in order to increase pipeline safety, and is pleased to provide the Commission responses to the following questions:

1. *When an excavator damages your pipeline facilities, describe the investigation your company conducts and the documentation you typically develop about the damage event.*

Response:

When an excavator damages the pipeline facilities of Puget, a Pipeline Technician visits the site and compiles a UA Report that identifies:

- the location of the damage event;
- the investigation date;
- One-Call number and proximity permit number (if applicable);
- whether an Occupational Health and Safety agency was contacted;
- a listing of the responsible parties, phone number and address;
- a sketch of the damage event and photographs, if taken;
- a description of the damage event;
- a summary of any discussions with the offending party;
- actions taken by Puget;
- confirmation that a UA letter was issued to the offending party (discussed below);
- a follow-up plan (corrective actions, expected completion date); and
- approval authorization of corrective actions.

If the pipeline has been mechanically damaged as a result of the UA, the pipeline would be shutdown until any required repairs are completed.

The offending party is contacted by the Pipeline Technician to discuss the offence, corrective actions, and preventative measures for excavation activities in the future. As well a UA letter is issued to the offending party that identifies:

- the responsibilities of Puget;
- the identity of the offending party;
- the date of and location of the damage event;
- a description of the work by the offending party, and the what was lacking that resulted in the damage event;
- confirmation that the damage event will be reported to State and Federal Authorities; and
- enclosed copies of Design and Construction Guidelines, Pipeline Protection Procedures and a Brochure for the local One-Call Organization.

2. *How long does it typically take you to complete your investigation of damage events?*

Response:

The required amount of time to complete an investigation of a damage event or UA varies depending on the extent of the damage event. In Puget's experience, a typical

investigation requires 1-2 weeks of intermittent effort which includes, but is not limited to, identifying the location of the UA; dispatching a Pipeline Technician to the site to photograph, sketch and investigate causal factors; contacting the offending party and explaining One-Call Laws and Puget's procedures with respect to excavation activities near pipelines; compilation of a UA report; review and approval of the UA report; and compilation of a UA letter to the offending party and the Commission.

3. *What do you estimate it would cost your company to expand its current incident reporting to cover all instances of: (1) damage to your facilities by excavators that have not obtained a locate, (2) excavators digging within 35 feet of your transmission line without a locate, and (3) damage to or removal of marks indicating the location or presence of your facilities?*

As Puget's UA reporting requirements already take into consideration these instances, there is no anticipated additional cost.

4. *What could the Commission do to reduce costs associated with the additional incident reporting suggested above?*

Puget is of the view that all of the activities it currently undertakes are necessary to complete a thorough and responsible investigation of the damage event or any UA, propose corrective actions, and carry such actions out. As such, Puget has no suggestions to reduce costs associated with the reporting requirements.

Puget thanks the Commission for the opportunity to provide comment on this matter. Should you have any questions or wish to discuss further, please contact the undersigned.

Yours truly,



Megan Sartore
Regulatory Compliance Lead, Regulatory Affairs
(403) 514-6614 (Direct)
(403) 514-6622 (Fax)
Megan_Sartore@kindermorgan.com