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November 21, 2003

Carole Washburn, Executive Secretary
Washington Utilities and Transportation Commission
P.O. Box 47250
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-7250

Re: Docket No. UG-011073, Draft Master Meter Rules, Pipeline Safety

Dear Ms. Washburn:

Thank you for the opportunity to review the Draft Master Meter Rules. Avista has reviewed the pipeline safety proposed rule revisions and offers the following comments on each section.

WAC 480-93-005 Definitions

"Master Meter System," at paragraph (b), includes an "underground pipeline system for distributing gas to more than one building not intended for resale or distribution to non-public entities but not limited to..."

Avista respectfully requests clarification of the meaning of "distribution to non-public entities." It appears this rule will, as drafted, categorize anyone with a downstream system as a master meter operator. Further, Avista is unsure if the exemption for the "system operator's immediate family," which is currently part of WAC 480-93-005, has been eliminated. If that is the case, Avista suggests this exemption be continued.

WAC 480-93- WWW Service to New Master Meter Installation

This section states: "Gas companies must receive approval from the commission to connect service to a newly identified master meter system or private gas distribution system. ..." Avista is concerned that the majority of new master meter systems are created after the service has been installed and, therefore, there are situations in which Avista has no knowledge of their creation. Traditionally, this has been under the jurisdiction of local building codes officials. The term "newly identified" modifies "master meter system..." in a manner that recognizes that the local distribution company may not be aware of new master meter installations. Nonetheless, Avista wishes to emphasize to the Commission that, despite Avista's best efforts, this new section may not be able to be fully implemented unless there is a concerted effort to coordinate the actions of the commission inspectors with those of the local building code officials.

WAC 480-93-XXX Master Meter Notification

This section would require gas companies to annually report to the Commission details regarding all identified master meter systems. Avista is concerned that, because gas companies have no jurisdiction over a master meter system, the ability to comply with this proposed rule is problematic. Avista respectfully suggests that this information should come directly from the Commission Staff when they confirm that it is a master meter system.

WAC 480-93-YYY Termination of Service

Avista respectfully suggests the following edits to this section: “In the event of a hazardous condition ~~or potentially hazardous condition~~ in the pipeline system, the commission will take either of the following actions: (a) order service to the master meter system or private gas distribution system be interrupted, or (b) order the hazard remedied at owner and operator’s expense. If a gas company representative identifies a hazardous or potentially hazardous condition on a master meter or private gas distribution system, the gas companies must interrupt natural gas service to the pipeline system until the system is repaired ~~and the commission deems the system safe.~~”

Avista suggests these edits because the industry generally does not recognize “potential” hazards. It is either considered an immediate hazard or not. Avista suggests that the term “the commission deems the system safe” should be moved to Reinstatement of Service. As with comments described above, we continue to believe, and are concerned, that this is a function more properly performed by local building code officials.

WAC 480-93-ZZZ Reinstatement of service

This section would require that the “the master meter operator must demonstrate to the commission that the hazardous or potentially hazardous condition in the pipeline system has been corrected before service can be reinstated.” Avista questions if this demonstration would place a hardship on the operator because the Commission safety staff may not be readily available. Specifically, is this proposed new section creating an unintended consequence of unsafe living conditions if staff is not available on a Saturday in January in eastern Washington? The Company respectfully requests that more consideration be given to implementation of this section prior to adoption. For example, Avista currently works directly with the local building code officials to make sure that the system is safe and meets current code before putting it back into service. This may be a superior alternative to that proposed in the new rule.

Overall Comment

Avista recommends that the Commission and local distribution companies join forces to create a state building code inspector. As discussed in relevant sections above, this would be a better avenue to monitor downstream issues more effectively than the procedures outlined in the proposed new rule.

Again, thank you for the opportunity to submit comments on this rulemaking. Please direct questions on this matter to Mike Fink at (509) 495-4706 or me at (509) 495-8499.

Sincerely,

Michael J. Faulkenberry, P.E.
Chief Gas Engineer
Avista Utilities