

**BEFORE THE WASHINGTON STATE
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of)	DOCKET NO. UG-000866
)	
AVISTA CORPORATION, D/B/A)	ORDER NO. 01
AVISTA UTILITIES,)	
)	
For a Waiver of WAC 480-93-010 to)	
Install Two Above Ground)	
Polyethylene Gas Mains in Steel)	
Casings Above the Little Spokane)	ORDER RESCINDING WAIVER OF
River in Spokane Washington)	WAC 480-93-010
.....)	

BACKGROUND

1 On May 9, 2000, Avista Utilities (Avista) filed a petition for waiver of the requirements in 49 CFR 192.321(a), which is incorporated into the Washington Administrative Code as WAC 480-93-010. The Commission approved Avista’s petition during open public meeting proceedings, subject to conditions recommended by Staff. The Commission allowed Avista to install a 4-inch polyethylene (PE) natural gas pipe inside 8-inch steel casings affixed to a bridge across Rock Creek in Stevenson, Washington. The Commission adopted as conditions of approval the following additional safety measures requiring Avista to:

- Conduct quarterly leak surveys with an approved combustible gas indicator for two years following installation.
- After two years, conduct leak surveys during regular patrols.
- Conduct daily temperature readings during the high and low yearly temperatures to establish a baseline for the maximum amount of expansion and contraction the PE pipe experiences.

2 On October 3, 2005, Avista filed a request to rescind the waiver granted on May 30, 2001. Avista states that on July 14, 2004, the federal authorities adopted CFR 49 §192.321(h)(3) to allow the installation of plastic pipe on bridges if it is:

1. Installed with protection from mechanical damage, such as installation in a metallic casing;
2. Protected from ultraviolet radiation; and
3. Not allowed to exceed the pipe temperature limits specified in §192.123.

Staff recognizes CFR 49 §192.321(h)(3) as the current standard in Washington for plastic above-ground bridge crossings.

3 Avista states its belief that the requirements of its existing waiver are excessive and requests that its waiver be rescinded.

DISCUSSION

4 Prior to July 2004, federal pipeline safety regulations prohibited the installation of polyethylene (PE) pipe in certain above-ground applications such as bridge crossings. Recent advances in PE pipe material, performance and reliability have made it suitable for these applications. The federal Pipeline and Hazardous Material Administration (PHMSA) has concurred with a number of state waivers allowing for plastic pipe installations on bridges. These waivers required that pipeline companies take additional safety measures to ensure that pipe be well protected from mechanical damage, elevated temperatures, and ultraviolet radiation exposure. There is no record of failure of PE pipe that has been installed under these waivers. In addition, progress in the design, manufacture and installation of plastic pipe have rendered it even more fit for broad application in gas pipeline systems. CFR 49 § Part 192.321(h)(3), adopted in

2004, now permits the use of plastic pipe across bridges, if the pipe is protected in accordance with the requirements noted in the regulation.

- 5 The waiver previously granted to Avista imposes conditions more stringent than those now recognized to adequately protect the public. Accordingly, the Commission concludes it should grant Avista's request to rescind the waiver and allow the Company to operate in conformance with the requirements of CFR 49 § Part 192.321(h)(3).

ORDER

THE COMMISSION ORDERS:

- 6 Avista Utilities' request to rescind the Commission's prior waiver of WAC 480-983-010 (1) to allow the installation of above ground plastic pipe crossing across Rock Creek in Stevenson, Washington, is granted.

DATED at Olympia, Washington, and effective this 25th day of January, 2006.

WASHIINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary