

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND
TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKET PG-160924

COMPLAINT

1 The Washington Utilities and Transportation Commission (Commission), on its own
motion, and through its Staff, alleges:

I. PARTIES

2 The Commission is an agency of Washington State authorized under RCW 81.88,
WAC 480-90, and WAC 480-93 to regulate pipeline companies.

3 Puget Sound Energy (PSE or Company) is a corporation that owns, maintains, and
operates natural gas pipelines and appurtenances in Washington State.

II. JURISDICTION

4 The Commission has jurisdiction over PSE because PSE is a “pipeline company” and a
“gas pipeline company” as those terms are used throughout RCW 81.88.

5 The Commission brings this Complaint under RCW 81.04.110.

III. FACTUAL ALLEGATIONS

6 On March 9, 2016, at approximately 1:43 a.m., a natural gas explosion occurred in the
vicinity of 8411 Greenwood Avenue North, Seattle, Washington.

7 The explosion caused property damage and personal injuries.

8 The gas that ignited leaked from a ¾” service line attached to the north-facing wall of
8411 Greenwood Avenue North (Mr. Gyros building).

9 The leak was caused in part by damage to the service line from an external force.

10 According to PSE’s records, PSE or its agent attempted to deactivate and abandon the
service line on September 1, 2004.

11 On or about September 1, 2004, PSE or its agent failed to disconnect the line from all
sources of gas.

12 On or about September 1, 2004, PSE or its agent failed to purge the line.

13 On or about September 1, 2004, PSE or its agent failed to seal the ends of the line.

14 The service line remained active until deactivated after the March 9, 2016, explosion.

15 PSE performed no required maintenance or monitoring of the active service line after
September 1, 2004.

16 PSE’s improper abandonment of the service line was a cause of the March 9, 2016, leak
and explosion.

17 The service line was a “separately protected service line” within the meaning of
49 C.F.R. § 192.465(a).

IV. CAUSES OF ACTION

A. First Cause of Action (improper deactivation of pipeline)

18 PSE’s service line abandonment on or about September 1, 2004, did not conform to
49 C.F.R. § 192.727(b), enforceable by the Commission under WAC 480-93-999.

19 PSE committed one violation of 49 C.F.R. § 192.727(b).

B. Second Cause of Action (failure to follow internal procedures)

20 PSE's service line abandonment on or about September 1, 2004, did not conform to the Company's Gas Operating Standard 2525.3600, effective March 1, 2004. Under WAC 480-93-180, PSE was required to follow internal written procedures.

21 PSE committed one violation of WAC 480-93-180.

C. Third Cause of Action (failure to perform gas leak surveys)

22 PSE performed no annual gas leak surveys with respect to the improperly abandoned (active) service line from September 1, 2004, at the latest, until March 9, 2016. Under WAC 480-93-188, PSE was required to perform such tests at least once annually. PSE failed to perform a minimum of 11 surveys.

23 PSE committed 11 violations of WAC 480-93-188.

D. Fourth Cause of Action (failure to perform atmospheric corrosion tests)

24 PSE performed no atmospheric corrosion tests with respect to the improperly abandoned (active) service line from July 22, 2004, until March 9, 2016. Under 49 C.F.R. § 192.481(a), PSE was required to perform such tests at least once every three years. PSE failed to perform a minimum of three tests.

25 PSE committed three violations of 49 C.F.R. § 192.481(a).

E. Fifth Cause of Action (failure to perform external corrosion tests)

26 PSE performed no external corrosion tests with respect to the improperly abandoned (active) service line from September 1, 2004, at the latest, until March 9, 2016. Under 49 C.F.R. § 192.465(a), PSE was required to perform such tests at least once every ten years, since the improperly abandoned service line was a "separately protected service line." PSE failed to perform a minimum of one test.

27 PSE committed one violation of 49 C.F.R. § 192.465(a).

V. REQUEST FOR RELIEF

- 28 Pursuant to WAC 480-93-223, Staff requests that the Commission impose a penalty of up to \$200,000 for each of the violations alleged above, up to the maximum penalty of two million dollars for each cause of action. Staff requests a total penalty of up to \$3,200,000.
- 29 Pursuant to RCW 81.88.020, RCW 81.88.030, RCW 81.88.065, and RCW 80.01.040, Staff further requests that the Commission authorize any other just and lawful form of relief, including, but not limited to, an order requiring PSE to implement a compliance program.

VI. PROBABLE CAUSE

- 30 In accordance with RCW 80.01.060 and WAC 480-07-307, the Commission finds probable cause to issue this Complaint.

DATED at Olympia, Washington, and effective September 19, 2016.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DENNIS J. MOSS
Administrative Law Judge

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