



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • www.utc.wa.gov

February 21, 2014

NOTICE OF OPPORTUNITY TO FILE WRITTEN COMMENTS
(By Monday, March 24, 2014)

Re: Rulemaking to consider amending WAC 480-93-223, increasing the maximum civil penalty for violations involving gas pipeline operators, Docket PG-140105

TO ALL INTERESTED PERSONS:

On February 19, 2014, the Washington Utilities and Transportation Commission (Commission) filed with the Code Reviser a Preproposal Statement of Inquiry (CR-101) to consider amending WAC 480-93-223, a rule relating to “Gas Companies – Safety”. Specifically to increase the maximum civil penalty for violations involving gas pipeline operators, in an effort to adopt the more stringent administrative civil penalties set in federal pipeline safety rules. The Commission filed the CR-101 under Docket PG-140105.

Effective on January 3, 2012, the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Pub. L. 112-90) (the Act) increased the maximum administrative civil penalties for violation of the pipeline safety laws and regulations from \$100,000 to \$200,000 for each violation, and the maximum penalty for a related series of violations from \$1,000,000 to \$2,000,000 in conformance with the 2011 Act.

STATE PROGRAM CERTIFICATION REQUIREMENTS

The rules of the State agency must provide for the enforcement of pipeline safety standard by injunctive and monetary sanctions that are at a minimum, as stringent as those set out at the federal level under the Code of Federal Regulations. State agency participation in the federal pipeline safety program requires the agency to adopt each federal safety standard applicable to intrastate pipelines under its jurisdiction.

The CR-101, as filed with the Code Reviser, is available for inspection on the Commission's website at <http://www.utc.wa.gov/140105>. If you are unable to access the Commission's web page and would like a copy of the CR-101 mailed to you, please contact the Records Center at (360) 664-1234.

WRITTEN COMMENTS

Written comments on the CR-101 inquiry about the Commission's consideration of increasing the civil penalty for violations involving gas pipeline operators must be filed with the Commission no later than **5:00 p.m., Monday, March 24, 2014**. The Commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments should be in .pdf Adobe Acrobat or in Word 97 or later version. Comments may be submitted via the Commission's Web portal at www.utc.wa.gov/e-filing or by electronic mail to the Commission's Records Center at records@utc.wa.gov. Alternatively, comments may be submitted by mailing or delivering an electronic copy to the Commission's Records Center on a flash drive, compact disk, or 3 ½ inch, IBM-formatted, high-density disk. Comment submissions should include:

- The docket numbers of this proceeding (Docket PG-140105).
- The commenting party's name.
- The title and date of the comment or comments.

The Commission will post on its web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/140105>.

If you are unable to file your comments electronically the Commission will accept a paper document. If you have questions regarding this rulemaking, you may contact Anthony Dorrough, at (360) 664-1318, or by email atadorroug@utc.wa.gov, or Joe Subsits at (360) 664-1322 or email at jsubsits@utc.wa.gov.

Stakeholders will have further opportunity for comment. Information about the schedule and other aspects of the rulemaking, including comments, will be posted on the Commission's website as it becomes available. If you wish to receive further information on this rulemaking you may:

- (1) Call the Commission's Records Center at (360) 664-1139
- (2) Email the Commission at records@utc.wa.gov
- (3) Mail written comments to the address below

When contacting the Commission, please refer to Docket PG-140105 to ensure that you are placed on the appropriate service list. The Commission's mailing address is:

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

NOTICE

If you do not want to comment now, but do want to receive future information about this rulemaking, please notify the Executive Director and Secretary in one of the ways described above and ask to be included on the mailing list for Docket PG-140105. If you do not do this, you might not receive further information about this rulemaking.

STEVEN V. KING
Executive Director and Secretary