

**BEFORE THE WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION**

In re Commission Investigation of the Gas
Pipeline System of the City of Enumclaw

DOCKET PG-051609

ORDER 02

ORDER ACCEPTING AMENDED
AGREEMENT AND MODIFYING
ORDER 01

- 1 This docket involves an inspection by the Utilities and Transportation Commission (Commission) of the natural gas pipeline system owned and operated by the City of Enumclaw. The Commission Staff conducted the inspection. On November 20, 2006, the Commission Staff and the City of Enumclaw filed a “Stipulated Agreement to Close Docket” (Agreement), and two appendices.
- 2 On December 13, 2006, the Commission issued Order 01, Order Accepting Agreement and Closing Investigation.
- 3 On June 25, 2007, Commission Staff and the City of Enumclaw filed an Addendum to the Agreement.
- 4 On January 28, 2014, the City of Enumclaw filed a letter with the Commission requesting that Paragraph 10 (Section 4) of the Agreement be amended so that the City’s provision of additional support staffing for the Natural Gas Systems Manager can result in some flexibility with respect to the duties that the Natural Gas Systems Manager can perform. On February 25, 2015, Commission Staff and the City of Enumclaw filed a joint motion requesting that Paragraph 10 of the Agreement be amended to read as follows:

The City agrees to assign an employee to the role of “Natural Gas Systems Engineer” or “Natural Gas Systems Manager.” This person shall be knowledgeable of the applicable federal and state pipeline safety regulations and experienced in the operation of gas distribution systems. This person shall also coordinate all work of the City’s gas system personnel and be responsible for maintaining up to date plans, procedures and records as required under such regulations. The Parties understand that it is critical that this person not have significant responsibilities outside the management of City’s gas system. The City will also maintain other staff dedicated to the maintenance and

operation of its system, including an Operations Supervisor and, at minimum, three qualified workers and a technician. No later than June 30, 2007, the City will have in place the staffing described in this section.

- 5 The only change to this section of the Agreement is the addition of the word “significant,” which would allow the Natural Gas Systems Manager to perform various non-significant city responsibilities outside of management of the gas system, such as those described by the City of Enumclaw in its January 28, 2014, letter.
- 6 The Commission has reviewed the City of Enumclaw’s January 28, 2014, letter, and the Joint Motion to Amend the Stipulated Agreement, which includes the proposed amendment and the parties’ joint narrative in support of the proposed amendment, and has determined the amendment is consistent with the public interest. Therefore, the Commission approves the amendment, and modifies its Order 01 to accept the Agreement as amended.

FINDINGS OF FACT

- 7 1. The City of Enumclaw operates a gas pipeline distribution system serving the public.
- 8 2. The Commission Staff conducted an inspection of the City of Enumclaw’s gas distribution system, which is summarized in Appendix A and B of the Agreement.
- 9 3. The Commission Staff and the City entered into the Agreement as an appropriate resolution of the issues raised by the inspection in this docket, and the Commission determined it is an appropriate resolution of the issues raised by the inspection in this docket in Order 01.
- 10 4. On January 28, 2014, City of Enumclaw filed a letter requesting that the Agreement be amended. The Commission Staff and the City of Enumclaw have jointly agreed to an amendment to Paragraph 10 of the Agreement, and presented the proposed amendment in a motion filed on February 25, 2014. The Commission has reviewed the amendment. The amendment is an appropriate resolution of the issues raised by the City of Enumclaw’s letter, and is consistent with the public interest.

CONCLUSIONS OF LAW

- 11 1. The Commission has jurisdiction under RCW 80.28 to regulate the safety of the gas plant owned and operated by the City of Enumclaw.

- 12 2. The amendment to the Agreement entered into between the City and the Commission Staff represents an appropriate resolution of the issues raised by the City of Enumclaw in its January 28, 2014, letter. The amendment is in the public interest. The amendment should be approved, and Order 01 should be modified to accept the Agreement as amended.
- 13 3. The effective date of the amendment to the Agreement is the date of this Order.

ORDER

- 14 It is hereby ordered that the amendment to Paragraph 10 of the Stipulated Agreement to Close Docket, filed February 25, 2014, is APPROVED.
- 15 It is hereby ordered that Order 01, Order Approving Agreement and Closing Investigation, is MODIFIED. The Commission retains jurisdiction to effectuate the terms of this order, including enforcement of the Agreement, if necessary.

DATED at Olympia, Washington, and effective March _____, 2014.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

Steven V. King, Executive Director and Secretary