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VIA ELECTRONIC MAIL

Carole J. Washburn, Executive Secretary  
Washington Utilities and Transportation Commission  
1300 S Evergreen Park Drive SW  
PO Box 47250  
Olympia, WA 98504-7250

Re: NWIGU Comments in Docket No. UG-011073  
(Gas Companies-Safety Rulemaking, Chapter 480-93 WAC)

Dear Ms. Washburn:

In response to the Washington Utilities and Transportation Commission's ("WUTC's" or "Commission's") January 17, 2003 Notice of Opportunity to File Written Comments in the above referenced docket, the Northwest Industrial Gas Users ("NWIGU") submit the following initial comments. NWIGU appreciates the opportunity to have input in the development of these rules. NWIGU suggests that the following specific changes be made to the proposed rules:

1. "Gas company" in WAC § 480-93-002 should be cross referenced to the specific definition of 480-93-005.
2. In WAC § 480-93-005, multiple words with the same meaning should be avoided as they lead to confusion or misinterpretation. For example, it would be preferable to use the term "Confined space" or "enclosed space" in the rule, but not both. In addition, "Gas company" should be used throughout the rule, rather than using separate terms "Gas company" and "Company."
3. The deletion of WAC § 480-93-010 ("Compliance with federal standards") in the draft proposed rule is followed with the comment "This rule will be incorporated in rule 480-93-999," which is the incorporation by reference provision of the current rules

(which also currently cross-references to WAC § 480-93-010 and details the specific federal standards that are incorporated by reference). It is the intent of the draft proposed rule to make changes to WAC § 480-93-999? If so, the parties need an opportunity to see proposed revisions and have the opportunity to comment.

4. Have there been any cost estimates prepared for the revisions proposed to WAC § 480-93-200? Safety is, of course the paramount concern. Requiring LDCs to report damages greater than \$1,000 within 2 hours, however, may be a very costly undertaking. Is that added expenditure justified as compared to continuing the current six hour reporting requirement for damage greater than \$5,000.

5. The reporting triggers in WAC § 480-93-200 (1) are separated by a semi-colon but need an "or" at the end of (1)(h). 1(k) and 1(l) should be in a separate section as the reporting appears to be intended as mandatory, and the current structure of the paragraph in the proposal is confusing.

6. NWIGU is concerned with the deletion of WAC § 480-93-210 as a reporting requirement. It appears that unscheduled industrial service interruption would no longer be a reporting requirement, merely a report inclusion item if other events are the trigger. NWIGU would like to discuss this proposed deletion of WAC § 480-93-210 at the upcoming workshop.

7. NWIGU recommends that WAC § 480-93-220 "Rule of precedence" not be deleted as it provides clarity. To the extent that any State of Washington rule standard is intended to exceed federal DOT standards, the particular rule should say so expressly, and the general interpretation standards of the current Rule of precedence should continue. NWIGU's understanding is that the general intention of the rules revision process is to make state rules consistent with federal DOT standards, which NWIGU supports.

8. NWIGU respectfully reserves the right to make additional comments when all sections of the proposed new rulemaking draft are available, so that the precise scope of a particular proposal can be reviewed in context. NWIGU will also continue working with the WUTC Staff in advance of any proposal regarding master meter regulations.

If you have any questions on these comments, please do not hesitate to call Paula Pyron, Executive Director of NWIGU at (503) 636-2580 or Ed Finklea at (503) 721-9118.

Respectfully Submitted,

/s/ Edward A. Finklea  
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Chad M. Stokes  
Of Attorneys for the Northwest Industrial

## Gas Users