

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 519

In the Matter of a Rulemaking to Adopt)
Federal Pipeline Safety Regulations.)

ORDER

DISPOSITION: RULES AMENDED

On July 13, 2007, the Public Utility Commission of Oregon (Commission) filed a Notice of Rulemaking and Statement of Need and Fiscal Impact with the Secretary of State. Notice was provided to certain legislators specified in ORS 183.335(1)(d) on July 13, 2007, and to all interested persons on the service lists maintained pursuant to OAR 860-011-0001 on July 19, 2007. Notice of the rulemaking was published in the August 2007 *Oregon Bulletin*. Interested persons were given until August 23, 2007, to file written comments or request a hearing. No comments were filed, and no hearing was requested.

Under ORS 757.039, the Commission is empowered to adopt safety rules pertaining to the transmission, distribution, storage, or treatment of fuel gas transported by pipeline. The statute also authorizes the Commission to enter into agreements with the US Department of Transportation (USDOT) to enforce federal pipeline safety regulations pertaining to pipeline facilities in Oregon. The Commission has entered into agreements with USDOT for enforcement over intrastate gas pipeline facilities. As part of its annual agreement, the Commission certifies to USDOT that it has or is in the process of adopting all current federal pipeline safety regulations applicable to intrastate gas pipelines and liquefied natural gas facilities. The federal amendments being adopted in this rulemaking include those from Code of Federal Regulations (CFR) Title 49, Part 192 (five amendments), Part 193 (one amendment) and Part 199 (four amendments). Adoption of these amendments is necessary to update the Commission's gas safety rules to be current with the federal gas pipeline safety regulations and to comply with USDOT certification requirements.

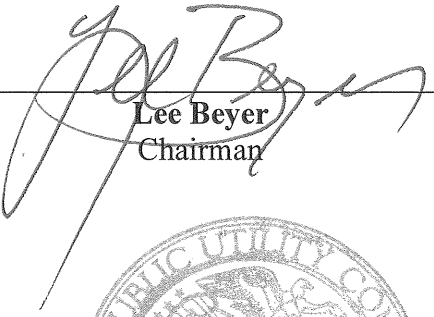
ORDER

IT IS ORDERED that:


1. The modifications to Oregon Administrative Rules 860-024-0020 and 860-024-0021 as set forth in Appendix A, are adopted.

2. The amended rules shall become effective upon filing with the Secretary of State.


Made, entered, and effective SEP 05 2007.



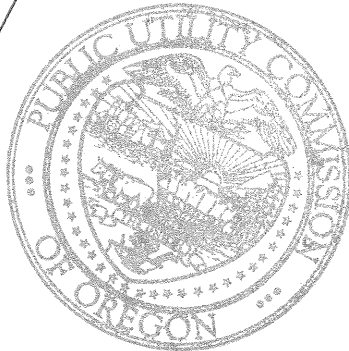
Lee Beyer
Chairman



John Savage
Commissioner



Ray Baum
Commissioner



A person may petition the Commission for the amendment or repeal of a rule pursuant to ORS 183.390. A person may petition the Court of Appeals to determine the validity of a rule pursuant to ORS 183.400.

Gas

860-024-0020**Gas Pipeline Safety**

Every gas operator shall construct, operate, and maintain natural gas and other gas facilities in compliance with the standards prescribed by:

(1) 49 CFR, Part 191, and amendments through No. 14 -- Transportation of Natural and Other Gas by Pipeline; Annual Reports and Incident Reports in effect on July 13, 1998.

(2) 49 CFR, Part 192, and amendments through No. ~~98103~~ -- Transportation of Natural and Other Gas by Pipeline; Minimum Safety Standards in effect on ~~September 9, 2004~~July 10, 2006.

(3) 49 CFR, Part 199, and amendments through No. ~~1923~~ -- Control of Drug and Alcohol Use in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations in effect on ~~September 11, 2001~~March 8, 2005.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available for review from ~~the office of~~ the Public Utility Commission.]

Stat. Auth.: ORS Ch. 183, 756 & 757

Stat. Implemented: ORS 757.039

860-024-0021**Liquefied Natural Gas Safety**

Every gas operator shall construct, operate, and maintain liquefied natural gas facilities in compliance with the standards prescribed by:

(1) 49 CFR, Part 191, and amendments through No. 14 -- Transportation of Natural and Other Gas by Pipeline; Annual Reports and Incident Reports in effect on July 13, 1998.

(2) 49 CFR, Part 193, and amendments through No. ~~1819~~ -- Liquefied Natural Gas Facilities; Minimum Safety Standards in effect on ~~April 9, 2004~~July 10, 2006.

(3) 49 CFR, Part 199, and amendments through No. ~~1923~~ -- Control of Drug and Alcohol Use in Natural Gas, Liquefied Natural Gas, and Hazardous Liquid Pipeline Operations in effect on ~~September 11, 2001~~March 8, 2005.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available for review from ~~the office of~~ the Public Utility Commission.]

Stat. Auth.: ORS Ch. 183, 756 & 757

Stat. Implemented: ORS 757.039