

IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION

**31.11.01 – SAFETY AND ACCIDENT REPORTING RULES
FOR UTILITIES REGULATED BY THE
IDAHO PUBLIC UTILITIES COMMISSION**

DOCKET NO. 31-1101-0401

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5220(1), Idaho Code, notice is hereby given of the Idaho Public Utilities Commission's proposed rulemaking. The action is authorized pursuant to Sections 61-515, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be scheduled only if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 20, 2004. The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the Commission's address set out below.

DESCRIPTIVE SUMMARY: The following is a non-technical explanation of the substance and purpose of the proposed rule:

The Commission's Safety and Accident Reporting Rules currently adopt by reference several national safety codes. In particular, Rule 201 adopts the federal safety regulations applicable to natural gas utilities and pipelines. In December 2003, the U.S. Office of Pipeline Safety (OPS) amended its safety regulations concerning the operation of pipelines. New OPS safety regulations require pipeline operators to develop integrity management programs (IMPs) for gas transmission pipelines at locations where a pipeline leak or rupture could cause potential harm to the public. IMPs are required for those locations commonly referred to as "high consequence areas." Under the new federal regulations found at 49 C.F.R. § 192.95, pipeline operators must perform ongoing assessments of pipeline integrity, implement preventative and mitigated actions, and repair and remediate pipelines (as necessary). The federal regulations improve data collection, data analysis, and also set a timeline for performing IMPs. Pipeline operators must periodically assess their IMPs and report semi-annually to the OPS. The Commission proposes to adopt these amended federal safety regulations.

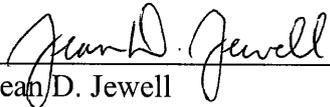
FEE SUMMARY: There are no fees associated with this proposed rulemaking.

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because these proposed rules adopt national federal safety regulations dealing with pipeline safety.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Ron

Law, Executive Administrator, at (208) 334-0330. Anyone may submit written comments regarding these proposed rules. All written comments concerning the proposed rules must be delivered to the Commission Secretary at the address identified below or be postmarked on or before October 27, 2004.

DATED at Boise, Idaho this 29th day of July, 2004.



Jean D. Jewell

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074
Telephone: (208) 334-0338
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472 W Washington
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IDAPA 31 TITLE 11 CHAPTER 01

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**RULES 201 THROUGH 300 - TRANSPORTATION OF NATURAL
GAS BY PIPELINES -- LIQUIFIED NATURAL GAS FACILITIES --
TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE --
~~NATIONAL~~ INTERNATIONAL FUEL GAS CODE --
~~UNIFORM~~ INTERNATIONAL MECHANICAL CODE**

201. FEDERAL REGULATIONS--49 C.F.R. PARTS 191, 192, 193, 195 AND 199 (RULE 201).

The Commission adopts by reference Parts 191, 192, 193, 195, and 199, Title 49, the Code of Federal Regulations (October 1, 2002~~4~~), except that federal accident reporting requirements contained in the rules adopted by reference in Rule 201 are replaced for state reporting purposes by orders of the Commission or rules of the Commission. These regulations are found in the Code of Federal Regulations, available from the U.S. Government Printing Office, Superintendent of Documents, Attn: New Orders, PO Box 371954, Pittsburgh, PA 15250-7954. The incorporated CFR Parts are also available in electronic format at www.access.gpo.gov/nara. All gas and pipeline corporations subject to the Commission's jurisdiction are required to abide by applicable provisions of these federal regulations adopted by reference. (5-3-03)(_____)