

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER SMITH  
COMMISSIONER HANSEN  
COMMISSION SECRETARY  
COMMISSION STAFF

**FROM:** DON HOWELL

**DATE:** AUGUST 5, 2005

**SUBJECT:** UPDATING THE COMMISSION'S GAS PIPELINE SAFETY RULE 201,  
CASE NO. 31-1101-0501

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. This year the Pipeline and Hazardous Materials Safety Administration (PHMSA) made two changes to the federal pipeline safety regulations found at 49 C.F.R. Parts 192 and 195. Both changes implement portions of the Pipeline Safety Improvement Act of 2002. First, PHMSA promulgated new requirements for individuals who perform certain safety-related tasks on pipelines. In particular, the new requirements address personnel training, notice of training program changes, government review and verification of such programs, and use of on-the-job training as a qualification method. Second, PHMSA amended its safety regulations to require pipelines to develop and implement public awareness program to promote pipeline safety.

The Commission Staff recommends the Commission adopt these updated gas pipeline safety regulations by proposing to adopt the updated edition of the Code of Federal Regulations as of October 1, 2005. The proposed rule change is attached for your consideration.

### COMMISSION DECISION:

Does the Commission wish to amend its Safety Rule 201 by adopting the updated version of the Code of Federal Regulations (49 C.F.R. Parts 192 and 195) to be issued October 1, 2005? Does the Commission wish to issue a Notice of Proposed Rule to be published in the Administrative Bulletin on October 5, 2005?



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Don Howell

**IDAPA 31  
TITLE 11  
CHAPTER 01**

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

**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, 2004<sup>5</sup>), 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](http://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. (4-6-05)(\_\_\_\_)