

## DECISION MEMORANDUM

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

**FROM:** DON HOWELL

**DATE:** OCTOBER 28, 2005

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

The Commission's Safety and Accident Reporting Rules adopt by reference several national safety codes including the federal pipeline safety rules in the Code of Federal Regulations (CFR). In August 2005, the Commission determined that Gas Pipeline Safety Rule 201 should be updated to incorporate changes to the pipeline safety regulations issued by the Pipeline and Hazardous Materials Safety Administration (PHMSA).

The Commission's Notice of Proposed Rulemaking was published in the Administrative Bulletin on October 5, 2005. In its Notice, the Commission proposed to adopt the updated edition of the CFR as of October 1, 2005. The Commission's Notice requested that interested persons submit comments regarding the rulemaking no later than October 26, 2005. The Commission received one comment.

In a letter dated September 16, 2005, the Legislative Services Office indicated that the Senate and House Subcommittees for Review of Administrative Rules had examined the proposed rule change. The letter stated that no "meeting will be held, and we are pleased to report that no objections will be filed [to the proposed rule]."

### COMMISSION DECISION:

Does the Commission wish to adopt its Proposed Rules as Pending Rules? Does the Commission wish to issue a Notice of Pending Rule to be published in the Administrative Bulletin on January 4, 2006?



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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)( )