

December 31, 2015

Public Service Commission of Utah  
Heber M. Wells Building  
160 East 300 South  
P.O. Box 45585  
Salt Lake City, UT 84111-5585

*Via Hand Delivery*

RE: Notice of Proposed Rule Amendment R746-409, Pipeline Safety -- Comments from the Utah Division of Public Utilities

Dear Commissioners:

The Utah Division of Public Utilities (Division) appreciates this opportunity to provide comments to the Public Service Commission of Utah (Commission) regarding its Proposed Rule Amendment R746-409 (Proposed Amendment) concerning pipeline safety published November 6, 2015. It is important that the Commission, the Division, and its Pipeline Safety Section work together with operators to promote and protect the public safety. The Division generally supports the Commission's Proposed Amendment.

The Division particularly supports the proposed change to R746-409-3(D) which would add "including but not limited to seeking the issuance of Commission subpoenas to compel the production of records and the taking of testimony, hearings and related procedures," to the existing language. Among other things, this addition explicitly informs those subject to this rule that the Commission's subpoena power may be utilized as necessary.

However, with regard to the proposed change to R746-409-4(B)(2) which addresses notification requirements applicable to State Reportable Incidents, the Division suggests that the proposed phrase "at the earliest practicable moment following discovery" be clarified to recognize that emergency actions take precedence over telephonic notification. Thus, the Division suggests that the change be modified to read, "at the earliest practicable moment when safely possible following discovery."

Again, the Division appreciates this opportunity to provide comments on the Proposed Amendment.

Sincerely,

Patricia E. Schmid  
Assistant Attorney General for the  
Division of Public Utilities