



**U.S. Department
of Transportation
Pipeline and Hazardous
Materials Safety
Administration**

**1200 New Jersey Avenue, SE
Washington, DC 20590**

December 16, 2020

Mr. Joel Tierney
Pipeline Safety Program Manager
Montana Public Service Commission
1701 Prospect Avenue
Helena, Montana 59620-2601

**Re: Docket No. PHMSA-2020-0078
Montana Public Service Commission, Docket No. 2020.02.024**

Dear Mr. Tierney:

In a letter dated August 7, 2020, the Pipeline and Hazardous Materials Safety Administration (PHMSA) requested that the Montana Public Service Commission (Commission) reinstate its 2009 State Waiver, including its conditions, to Energy West Montana, Inc. (Company).¹ The 2009 Waiver allowed the Company to use Polyamide 12 (PA12) pipe manufactured in 2009 in its Great Falls and Cascade, Montana gas distribution system. On December 2, 2020, the Commission notified PHMSA that it intended to reinstate portions of the 2009 Waiver, as requested.

Under 49 United States Code (USC) § 60118(d), a State with a certification pursuant to 49 USC § 60105 may waive compliance with a safety standard; however, the State must give PHMSA notice of the waiver at least 60 days before its effective date. If PHMSA objects to the waiver, the State waiver is stayed.

Pursuant to 49 USC § 60118(d), PHMSA does not object to the issuance of this revised Waiver to Energy West Montana, Inc. The issuance of the Waiver by the Commission complies with PHMSA's August 7, 2020 request to the Commission.

If you wish to discuss this or any other pipeline safety matter, my staff would be pleased to assist you. Please contact Senth White, Director of Engineering and Research Division, at 202-366-2415, for technical matters.

¹ Montana Public Service Commission Docket No. D2008.9.107.

Thank you for your continued efforts in pipeline safety.

Sincerely,

**ALAN
KRAMER
MAYBERRY**
Alan K. Mayberry,
Associate Administrator for Pipeline Safety

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