

December 16, 1977

Ms. Mary E. Brazelton
Executive Secretary
Public Service Commission
of the District of Columbia
1625 I Street, N.W.
Washington, D.C. 20006

Dear Ms. Brazelton:

Thank you for your letter of November 18, 1977, expressing the Commission's concern over the safety of master meter systems in the District and indicating that with proper legal authority the Commission could take action to correct the problems.

We have for years advocated that State agencies (including the District) assume full regulatory jurisdiction over all intrastate pipeline facilities that are subject to the Natural Gas Pipeline Safety Act of 1968 (49 USC 1671 et seq.) Most areas where jurisdiction is lacking, such as master meter systems, are better suited for State than Federal enforcement activities.

However, until full jurisdiction can be achieved, the Act provides an alternative legal basis for State action. Under Sec. 5(b) of the Act (49 USC 1674(b)), a State agency may be authorized by agreement to carry out an inspection program on behalf of the Department for intrastate pipeline facilities not covered by an annual certification under Sec. 5(a). Although a Sec. 5(b) agreement would not empower a State agency to impose sanctions against violators, all other aspects of a compliance program could be carried out. If the Commission were to enter into such an agreement, we believe it would solve the immediate problem of not having legal authority to correct safety problems in master meter systems in the District. We would be happy to meet with you at your convenience to discuss this matter further.

As for the 1978 Seminar, master meter operators may be invited from the District. You should advise the Maryland and Delaware agencies of your plans as they may wish to do the same thing and there is a limit of 75 students from all three States.

Sincerely,

Cesar DeLeon
Acting Director
Office of Pipeline
Safety Operations

PUBLIC SERVICE COMMISSION
OF THE DISTRICT OF COLUMBIA

November 18, 1977

Mr. Cesar DeLeon
Director, Office of Pipeline Safety Operations
Department of Transportation
Materials Transportation Bureau
2100 2nd Street, S.W.
Washington, D.C. 20590

Dear Mr. DeLeon:

Subject: Master Meter Operators
In Washington, D.C.

During most of 1977, this Commission (PSC) has been actively engaged in efforts to bring Washington, D.C.'s Master Meter Operators into compliance with CFR Part 191 and 192. By April 26, 1977, Washington Gas Light Company (WGL) had compiled and submitted the attached listing of its customers who were master meter operators in the Washington, D.C., area. This Commission has been interfacing with various master meter operators, but, as our Corporation Counsel advised Mr. Lance Heverly of your office on October 7, 1977, PSC lacks legal jurisdiction over master meter operators. Based upon this information, your personnel explained the disadvantages of PSC even making master meter contacts as long as we lack legal authority to enforce Parts 191 and 192 in master meter applications. Only your office has this authority, we learned, and this leads us into the following issues:

1. Safety Compliance. Will you please use your legal authority to help us correct dangerous conditions which prevail in some of Washington, D.C.'s master meter operations? Some of these problems are ideally suited to the application of your Federal resources and the legal authority which this Commission does not have.

2. State Agency/OPSO Seminar. OPSO has scheduled Maryland, Delaware, and the District of Columbia to hold a joint State Agency/OPSO Seminar during 1978. It would be beneficial, we believe, to invite the master meter operators of the District of Columbia to this seminar since this would probably give many of them their first comprehensive exposure to your regulations and to the Act. Inasmuch as OPSO is the agency with the legal authority to enforce Parts 191 and 192, it should invite the operators as one of the host Commissions. The Public

Service Commission of D.C. could invite as the host Commission, or both PSC and OPSO in some joint manner could extend the invitation.

Your questions and correspondence on this matter may be addressed to Mr. Kenneth Freelain of this Commission (telephone 634-4321). We thank you for exploring these issues with us.

Very truly yours,

Mary E. Brazelton
Executive Secretary