

October 4, 1978

Mr. John W. Johnson  
Clanton & Johnson  
P.O. Box 688  
Eunice, Louisiana 70535

Dear Mr. Johnson:

We have your letter of September 17, 1976, responding to our opinion that the distribution of gas by pipeline in the Town of Basile is subject to the Federal safety standards issued under the Natural Gas Pipeline Safety Act of 1968. The fact that none of the gas customers in Basile is engaged in interstate commerce would not change our view that the Town's distribution of gas "affects" interstate commerce. Our view is based on the clear intent of Congress to provide safety regulations for the transportation of gas by pipeline from the wellhead to consumers and the Supreme Court's numerous interpretations of Congressional authority to regulate actions which "affect" interstate commerce.

Should the Town decide to request a waiver from any of the Federal standards, the request may be in any form which shows cogent reasons why particular standards cannot be met or why some other safety requirement would be more appropriate. We have enclosed a copy of a recent notice published in the Federal Register regarding the August 1, 1976, deadline for meeting the corrosion control requirements in 49 CFR 192.457(b).

Sincerely,

Cesar DeLeon  
Acting Director  
Office of Pipeline  
Safety Operations