

July 11, 1984

ACTION: Waiver Granted by Wisconsin Public Service Commission to Wisconsin Gas Company February 8, 1983.

Richard L. Beam  
Associate Director for Pipeline Safety Regulation, DMT-30

Robert L. Paullin  
Associate Director for Operations and Enforcement, DMT-10

In response to the request on your routing slip of July 3, 1984, forwarding a copy of the May 31, 1984, memo with attachments from the Chief, Central Region, we have reviewed both the memo and the Wisconsin Public Service Commission (PSC) waiver with the supporting staff recommendation.

We see several problems with the action taken by the PSC in this matter. As pointed out by the Chief, Central Region, the required 60 days notice to the Secretary was not provided and the attempt to change the definition of the word "main" has made applicable regulations less stringent.

The effect of the subject waiver was to relieve Wisconsin Gas Company of the construction, operating, and maintenance requirements that are applicable to mains for those short sections of main that are similar to service lines but supply gas to two or more customers. However, the waiver does not specifically address each section of the regulations involved. If we were requested to make a detailed review of a similar waiver, we would need to know why the regulations involved are inappropriate for these pipelines and why the waiver would not be detrimental to public safety.

It is suggested that during the annual monitoring visit to Wisconsin in August 1984 that this problem should be pointed out and that it be explained that the waiver granted February 8, 1983, to Wisconsin Gas Company has no legal effect because the PSC has failed to notify MTB as required by Section 3(d) of the NGPSA.

#