

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking on the Commission's
Own Motion to Adopt New Safety and Reliability
Regulations for Natural Gas Transmission and
Distribution Pipelines and Related Ratemaking
Mechanisms

R.11-02-019

**COMMENTS OF THE
COALITION OF CALIFORNIA UTILITY EMPLOYEES ON THE
SED PROPOSED REVISIONS TO GENERAL ORDER 112-E**

September 27, 2013

Marc D. Joseph
Jamie Mauldin
Adams Broadwell Joseph & Cardozo
601 Gateway Blvd., Suite 1000
South San Francisco, CA 94080
(650) 589-1660 Telephone
(650) 589-5062 Fax
mdjoseph@adamsbroadwell.com
jmauldin@adamsbroadwell.com

Attorneys for the Coalition of
California Utility Employees

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking on the Commission's
Own Motion to Adopt New Safety and Reliability
Regulations for Natural Gas Transmission and
Distribution Pipelines and Related Ratemaking
Mechanisms

R.11-02-019

**COMMENTS OF THE
COALITION OF CALIFORNIA UTILITY EMPLOYEES ON THE
SED PROPOSED REVISIONS TO GENERAL ORDER 112-E**

Pursuant to the Amended Scoping Memo and Ruling of the Assigned Commissioner issued May 2, 2013, the Coalition of California Utility Employees submits these comments on the Safety and Enforcement Division's ("SED") proposed revisions to General Order 112-E.

The Coalition of California Utility Employees (CUE) is a coalition of unions whose members work at electric and natural gas utilities in California. These unions include the International Brotherhood of Electrical Workers, Local 1245, which has 12,000 members who work on both natural gas and electricity systems at PG&E. CUE offers these comments from the perspective of employees who have worked on PG&E's gas systems for many decades. CUE appreciates the opportunity to comment on SED's proposals.

I. GAS SAFETY PLANS SHOULD REQUIRE ANNUAL DRILLS

Section 123(k) of the SED proposal addresses Operators' Gas Safety Plans. The Federal and California statutes which mandate the content of the

Gas Safety Plan do not require training and exercises for emergency preparedness. SB 705, as codified in Public Utilities Code Section 961(d)(8) requires the Gas Safety Plan to “[p]repare for, or minimize damage from, and respond to, earthquakes and other major events.”¹ PHMSA, at 49 CFR 192.615, mandates that Operators “[t]rain the appropriate operating personnel to assure that they are knowledgeable of the emergency procedures and verify that the training is effective.”²

According to Section 963(b)(3), “[i]t is the policy of the state that the commission and each gas corporation place safety of the public and gas corporation employees as the top priority. The commission shall take all reasonable and appropriate actions necessary to carry out the safety priority policy of this paragraph consistent with the principle of just and reasonable cost-based rates.”³

To make these requirements meaningful, gas Operators should be required to perform annual emergency training and exercises using the Gas Safety Plan. This is not a novel concept. For electric system safety, General Order No. 166 requires each electric utility to prepare an emergency response plan, and conduct annual emergency and training exercises using the utilities’ emergency response plan.⁴ Safety of the natural gas system requires

¹ Pub. Util. Code § 961(d)(8).

² PHMSA, 49 CFR 192.615(b)(2).

³ Pub. Util. Code § 963(b)(3).

⁴ General Order No. 166, Standards 1 and 3.

no less. While some gas Operators already perform annual exercises, the Commission should require these drills as it does for the electric utilities.

CUE recommends the following addition to 123(k):

(k) Gas Safety Plan

1. Each Operator must submit a Gas Safety Plan, as codified by Pub. Util. Code §§ 961 and 963, and as ordered by the Commission in D.12-04-010.
2. Each Operator must make any modifications to its Gas Safety Plan identified by the Commission's Safety and Enforcement Division, or its successor.
3. Each Operator must conduct annual emergency training and exercises using the procedures set forth in the utility's Gas Safety Plan.
 - a) The utility shall conduct an exercise annually using the procedures set forth in the utility's Gas Safety Plan.
 - b) The utility shall annually train designated personnel in preparation for emergencies and major outages. The training shall be designed to overcome problems identified in the evaluations of responses to a major outage or exercises and shall reflect relevant changes to the plan.

II. FACILITY RECORDS MUST BE AVAILABLE TO FIELD TECHNICIANS

Section 145 of the SED proposal addresses Operator recordkeeping. CUE discussed this issue in its Workshop comments and appreciates SED's response. However, those records designated in Section 145 must be available to each field technician. CUE understands that amassing 75 years of data is onerous and time-intensive. However, those records provide invaluable safety information to the Operators' employees. For example, a

technician may respond to a call and the data found in the database may indicate there are repeated leak problem in the area. This knowledge is essential for protecting the safety of the employee and the residents of the area. In 2013, there is no good reason why complete information is not available electronically, and in one place, for the employee in the field. To the extent PHMSA, at 49 CFR 192.605, already requires certain information be made available to operating personnel, this Section should act as additional information for operating personnel. Furthermore, 49 CFR 192.605 already requires “[m]aking construction records, maps, and operating history available to appropriate operating personnel.”⁵

CUE recommends the following addition to Section 145:

145.2 Each Operator shall make the records from Section 145.1 available to operating personnel and field technicians. These records should be made available in each service vehicle.

VI. CONCLUSION

We thank ALJ Bushey and the SED for giving us the opportunity to comment on the proposed SED.

⁵ PHMSA, 49 CFR 192.605(b)(3).

