

**PROPOSED REGULATION OF THE
PUBLIC UTILITIES COMMISSION OF NEVADA**

LCB File No. R073-21

January 11, 2022

EXPLANATION – Matter in *italics* is new; matter in brackets ~~omitted material~~ is material to be omitted.

AUTHORITY: §§ 1-9, section 3 of Assembly Bill No. 173, chapter 96, Statutes of Nevada 2021, at page 411 (NRS 703.1543).

A REGULATION relating to gas utilities; prescribing the types of work for which a license as a professional engineer is required for employees of a public utility that supplies natural gas; requiring certain plans and specifications for work by a public utility that supplies natural gas to bear the stamp of a professional engineer; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for the licensing and regulation of professional engineers. (Chapter 625 of NRS) Existing law exempts the employees of interstate or intrastate public utility companies from such licensure requirements while they are engaged in any type of work for those companies, except for an employee of a public utility that supplies natural gas and is subject to the jurisdiction of the Public Utilities Commission of Nevada if the employee is engaged in a type of work for the public utility which the Commission, by regulation, has determined requires licensure. (NRS 625.095, as amended by section 1 of Assembly Bill No. 173, chapter 96, Statutes of Nevada 2021, at page 409; section 3 of Assembly Bill No. 173, chapter 96, Statutes of Nevada 2021, at page 411 (NRS 703.1543)) **Section 8** of this regulation requires gas pipeline engineering plans or specifications for engineering work or services to be performed by the employees of a natural gas utility which involve work or services identified by the Commission as involving a gas pipeline facility and presenting an elevated risk to public safety to be produced by or under the supervision of a professional engineer who is in responsible charge of the work and has sufficient knowledge of the natural gas utility’s natural gas system. **Section 8** requires such plans and specifications to bear the stamp of the professional engineer, with the exception of certain plans and specifications for emergency work or services. **Section 9** of this regulation lists the work and services identified by the Commission as involving a gas pipeline facility and presenting an elevated risk to public safety.

Sections 2-7 of this regulation define relevant terms.

Section 1. Chapter 704 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. *As used in sections 3 to 9, inclusive, of this regulation, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Engineered structures” means buildings, overpasses or water crossings.*

Sec. 4. *“Gas pipeline facility” has the meaning ascribed to it in 49 U.S.C. § 60101.*

Sec. 5. 1. *“Peak shaving facility” means a pipeline storage facility designed to house natural gas or propane gas for reintroduction into a pipeline operator’s system at times of peak demand and which may be used to store liquefied petroleum gas.*

2. *The term does not include:*

(a) *A facility that stores temporary compressed natural gas, renewable natural gas, liquid natural gas or hydrogen blending supply; or*

(b) *A virtual pipeline.*

Sec. 6. *“Public agency” means an agency or political subdivision of this State or the United States.*

Sec. 7. *“Responsible charge of work” has the meaning ascribed to it in NRS 625.080.*

Sec. 8. *Any gas pipeline engineering plans or specifications for engineering work or services to be performed by the employees of a natural gas utility that supplies natural gas and is subject to the jurisdiction of the Commission, which involves a gas pipeline facility and presents an elevated risk to public safety pursuant to section 9 of this regulation must:*

1. Be produced by or under the supervision of a professional engineer who is licensed pursuant to chapter 625 of NRS, has responsible charge of the work and has sufficient knowledge of the natural gas system of the natural gas utility; and

2. Except as otherwise provided in this subsection, bear the stamp of the professional engineer obtained pursuant to NRS 625.383. The stamp of the professional engineer is not required for plans and specifications for emergency work or services, except that a stamp is required after the emergency has been resolved if any of the remaining work or services to be performed under the plans or specifications is of a type identified as involving a gas pipeline facility and presenting an elevated risk to public safety pursuant to section 9 of this regulation.

Sec. 9. *The Commission hereby identifies the following types of work and services as involving a gas pipeline facility and presenting an elevated risk to public safety:*

1. New installation of district pressure regulator stations, compressor stations or gate stations.

2. Reconfiguration or physical facility changes, other than routine operating adjustments and like-kind replacements, performed at district pressure regulator stations, compressor stations or gate stations that alter or modify the configuration or overpressure protection of equipment.

3. Installation, uprating, repair by replacement or abandonment of transmission pipelines.

4. Installation, repair by replacement or abandonment of high-pressure distribution pipelines operating at 200 pound-force per square inch gauge and above and with a project length of 3,000 feet or greater of installed, replaced or abandoned distribution pipeline.

5. Installation of distribution mains where such distribution mains attach to existing bridges or other engineered structures, except for newly designed or constructed bridges where the pipeline installation design was approved by the public agency undertaking the design or construction of the bridge.

6. Upgrading of distribution pipelines.

7. Installation of a peak shaving facility, including any modification or reconfiguration that would alter such a facility's pressure delivery characteristics.

8. Installation of new permanent in-line inspection launchers and receivers.