

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

In re Petition of the Regulatory)
Operations Staff to amend the Nevada)
Administrative Code Sections 704.460)
and 704.461 to adopt the current)
effective Federal Pipeline Safety)
Regulations.)

Docket No. 97-10037

NOTICE OF WORKSHOP AND NOTICE OF HEARING FOR THE AMENDMENT
OF REGULATIONS OF THE PUBLIC UTILITIES COMMISSION OF NEVADA

The Regulatory Operations Staff (~~Staff~~) of the Public Utilities Commission of Nevada (~~Commission~~) filed a petition, designated as Docket No. 97-10037, requesting that the Commission consider amendments to the Nevada Administrative Code (~~NAC~~) Sections 704.460 and 704.461 for the purpose of updating the Commission's regulations to reflect currently effective federal regulations. At a regularly scheduled agenda meeting held on November 14, 1997, the Commission voted to grant Staff's petition and proceed to rulemaking for the purpose of amending NAC 704.460 and 704.461 as proposed by Staff.

The following information is provided pursuant to the requirements of NRS 233B.060:

Staff proposes that the Commission amend NAC 704.460 so that the Commission adopts by reference the Federal Gas Pipeline Safety Regulations identified in NAC 704.460, as those regulations existed on October 15, 1997, rather than September 13, 1995. Staff states that since the Commission last revised NAC 704.460 in Docket No. 95-12028, the United States Department of Transportation has adopted various amendments to its regulations.

As proposed by Staff, NAC 704.460 would be revised to read as follows:

704.460 **Adoption of federal regulations.** The commission hereby adopts by reference the regulations contained in 49 C.F.R. Parts 191, 192, 193 and 199 as those regulations existed on [September 13, 1995] October 15, 1997. Copies of those parts are available at no charge upon request to the United States Department of Transportation, Research and Special Programs Administration, Washington, D.C. 20590.

Staff further proposes, in the interest of consistency between NAC 704.460 and 704.461, that the Commission amend NAC 704.461 so that the Commission adopts by reference the 1995 National Fire Protection Association (NFPA) standards identified in NAC 704.461, rather than the standards from the 1992 edition. In addition, Staff requests a further amendment of NAC 704.461 to update the prices charged by the NFPA for copies of each standard identified in NAC 704.461.

As proposed by Staff, NAC 704.461 would be revised to read as follows:

704.461 **Adoption of standards of National Fire Protection Association.** The commission hereby adopts by reference Standard No.

58 (1995 edition) and Standard No. 59 ([1992] 1995 edition) of the National Fire Protection Association. Copies of these standards are available from the National Fire Protection Association, One Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269-9101. The cost for obtaining a copy of Standard No. 58 is \$[26.50] 29.25 and the cost of Standard No. 59 is \$[20.25] 22.25.

The need and purpose of the proposed amendments to NAC 704.460 and NAC 704.461 are to update those regulations so that they reflect the most recent and accurate information.

The proposed amendments are not expected to have any adverse economic effects, either immediate or long-term, on gas pipeline operators subject to NAC 704.460 and NAC 704.461 or on the public. The entities affected by these amendments and/or the public may experience beneficial economic effects, both immediate and long-term which cannot be quantified at this time, as a result of the proposed amendments.

The Commission does not envision any increased costs associated with enforcement of the proposed amendments. The proposed amendments do not overlap or duplicate any other Nevada state or local government agency regulation. The proposed amendment to NAC 704.460 neither imposes nor increases any fee. The proposed amendments to NAC 704.461 increase the fees for obtaining copies of Standard No. 58 and Standard No. 59. These fee increases reflect charges imposed by the National Fire Protection Association and not by the Commission.

Pursuant to Nevada Revised Statutes (~~NRS~~) 233B.061, NOTICE IS HEREBY GIVEN that the Commission has scheduled a WORKSHOP in this docket as follows:

THURSDAY, APRIL 9, 1998

1:00 p.m.

Hearing Room B
Public Utilities Commission
The Sawyer Building
555 E. Washington, Suite 4500
Las Vegas, Nevada 89101

for the purpose of addressing the proposed amendments to the regulations. Furthermore, any comments submitted regarding the proposed amendments will also

be considered at the workshop. The workshop may continue day to day as deemed necessary by the Commission.

The proposed amendments to the regulations and comments received to date by the Commission are available for public viewing at the offices of the Commission, 727 Fairview Drive, Carson City, Nevada 89710, and at the Sawyer Building, 555 East Washington, Suite 4500, Las Vegas, Nevada 89101.

Furthermore, NOTICE IS HEREBY GIVEN that pursuant to NRS 233B.061, the Commission will hold a HEARING on the proposed amendments to the regulations as follows:

TUESDAY, MAY 5, 1998

10:00 a.m.

Hearing Room A
Public Utilities Commission
The Sawyer Building
555 E. Washington, Suite 4500
Las Vegas, Nevada 89101

The purpose of the hearing is to receive comments from all interested persons regarding the amendment of the regulations that pertain to Chapter 704 of the Nevada Administrative Code.

Persons wishing to comment upon the proposed action of the Commission may appear at the scheduled workshop or public hearing or may address their comments, data, views or arguments, in written form, to the offices of the Commission, 727 Fairview Drive, Carson City, Nevada 89710 and, The Sawyer Building, 555 East Washington, Suite 4500, Las Vegas, Nevada 89101. Written submissions must be received by the Commission on or before Thursday, April 2, 1998. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Commission may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulations to be amended will be available at the Public Utilities Commission of Nevada, 727 Fairview Drive, Carson City, Nevada, 89710 and 555 East Washington Avenue, Suite 4500, Las Vegas, Nevada, 89101 and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulations will be available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the

Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulations will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the Commission, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice has been posted at the county courthouses in Carson City, Reno, and Las Vegas.

By the Commission,

JEANNE REYNOLDS, Commission Secretary

Dated: Carson City, Nevada

(SEAL)

PROPOSED REGULATIONS OF THE PUBLIC UTILITIES COMMISSION OF NEVADA

PUC Docket No. 97-10037

Explanation: Matter underlined is new; matter in brackets is material to be omitted.

AUTHORITY: NRS 703.154; 704.210; 233B.040

Section 1. NAC 704.460 is hereby amended to read as follows:

704.460 Adoption of federal regulations. The commission hereby adopts by reference the regulations contained in 49 C.F.R. Parts 191, 192, 193 and 199 as those regulations existed on [September 13, 1995] October 15, 1997. Copies of those parts are available at no charge upon request to the United States Department of Transportation, Research and Special Programs Administration, Washington, D.C. 20590.

Sec. 2. NAC 704.461 is hereby amended to read as follows:

704.461 Adoption of standards of National Fire Protection Association. The commission hereby adopts by reference Standard No. 58 (1995 edition) and Standard No. 59 ([1992] 1995 edition) of the National Fire Protection Association. Copies of these standards are available from the National Fire Protection Association, One Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269-9101. The cost for obtaining a copy of Standard No. 58 is \$[26.50] 29.25 and the cost of Standard No. 59 is \$[20.25] 22.25.