

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

**LCB File No. R053-98**

April 13, 1998

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

AUTHORITY: §§ 1-4, NRS 704.210.

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

704.460 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~~] *from* 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 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~~] *of* a copy of Standard No. 58 is [~~\$26.50,~~] *\$29.25,* and the cost of *a copy of* Standard No. 59 is [~~\$20.25.~~] *\$22.25.*

**Sec. 3.** NAC 704.532 is hereby amended to read as follows:

704.532 1. An operator of a system must apply for and receive a certificate of public convenience and necessity from the commission to operate the system.

2. In the case of a system in operation before January 31, 1991, the application for a certificate of public convenience and necessity must include [:], *without limitation*:
- (a) The name, principal business address [.] and telephone number of the operator;
  - (b) The location of the system;
  - (c) The size and number of liquefied petroleum gas containers serving the system;
  - (d) The number of services, both active and inactive, connected to each container or group of containers;
  - (e) The year the system was installed and the date of each subsequent expansion or modification of the system, as closely as *the date* is known;
  - (f) The current number of customers served by the system;
  - (g) The name and address of the current supplier of bulk liquefied petroleum gas to the system;
  - (h) The current price charged by the operator for liquefied petroleum gas service, including , *without limitation*, the price of liquefied petroleum gas delivered per unit volume and the amount of any other charges assessed to a customer;
  - (i) The current price per unit volume paid by the operator for delivery of bulk liquefied petroleum gas to the system;
  - (j) The quantity of liquefied petroleum gas currently on hand, as closely as *the quantity* is known;
  - (k) A copy of any contract entered into with the supplier of bulk liquefied petroleum gas to the system;
  - (l) A copy of the written explanation of the procedure described in NAC 704.535; and

(m) A copy of the plans and procedures required by the regulations adopted *by reference* pursuant to NAC 704.460.

3. A certificate of public convenience and necessity will not be issued for a system in operation before January 31, 1991, until the system has been inspected for compliance with the regulations adopted *by reference* pursuant to NAC 704.460.

4. In the case of a system installed and placed into operation on or after January 31, 1991, an application for a certificate of public convenience and necessity must include [:], *without limitation:*

(a) The name, principal business address [.] and telephone number of the proposed operator;

(b) The location of the proposed system;

(c) The proposed size and number of liquefied petroleum gas containers serving the system;

(d) The proposed number of services connected to each container or group of containers;

(e) The name and address of the supplier who is expected to provide bulk liquefied petroleum gas to the system;

(f) The anticipated price to be charged for liquefied petroleum gas service, including , *without limitation*, the price of liquefied petroleum gas delivered per unit volume and the amount of any other charges assessed to a customer;

(g) The current available price range per unit volume for bulk liquefied petroleum gas;

(h) A copy of any contract entered into with the intended supplier of bulk liquefied petroleum gas to the system;

(i) The names and addresses of the suppliers of bulk liquefied petroleum gas serving the area where the proposed system is to be located;

(j) A copy of the written explanation of the procedure described in NAC 704.535;

(k) A copy of the plans and procedures required by the regulations adopted *by reference* pursuant to NAC 704.460;

(l) Copies of design and construction drawings for the system, including , *without limitation, the* details for the installation of containers, distribution piping and meters, and a list of materials; and

(m) The estimated cost of the proposed system.

**Sec. 4.** NAC 704.533 is hereby amended to read as follows:

704.533 1. An operator shall:

(a) Provide facilities and service which are reasonably adequate at just and reasonable rates.

(b) Provide a method for receiving and acting on complaints by customers in accordance with NAC 704.537.

(c) Design, install, construct, inspect, test, operate [.] and maintain the system in accordance with the applicable regulations adopted *by reference* pursuant to NAC 704.460 and 704.461.

(d) File with the commission, not later than March 30 of each year, an annual report for the reporting period in accordance with NAC 704.534.

(e) Provide each of the customers of the system with a written explanation of the procedure for responding to an emergency in accordance with NAC 704.535.

(f) Bill each of the customers of the system for the amount of liquefied petroleum gas delivered. The names of the customer and operator, the dates of the beginning and end of the billing period, the meter readings for the dates of the beginning and end of the billing period, the quantity consumed, the price of liquefied petroleum gas, any other authorized charge [.] and the total charge must be clearly [stated] *set forth* on the bill. The format for the bill must make it possible for the customer to calculate easily the total amount due as shown on the bill.

(g) Notify each of the customers of the system in writing of any change in the charge for owning, operating [,] and maintaining the system or any change in the price of liquefied petroleum gas of 10 percent or more, not later than 5 days after the date on which the increase becomes effective.

(h) Maintain for not less than 3 years records of all expenditures and collections for liquefied petroleum gas service.

(i) Maintain records evidencing compliance with the requirements contained in the regulations adopted *by reference* pursuant to NAC 704.460 for at least the period specified in those regulations or 3 years, whichever is longer.

2. The records required to be maintained pursuant to this section must be easily accessible for review by the commission.