

Kellie Martinec

From: Dan Renner <dan.renner@crtxlaw.com>
Sent: Friday, November 15, 2019 4:06 PM
To: Rules Coordinator
Cc: Natalie Dubiel; Haley Cochran; Keith Wall - CenterPoint Energy - Entex (keith.wall@centerpointenergy.com); Yarbrough, Steve; Shelley Morgan
Subject: Comments of CenterPoint Energy re proposed revisions to Sec 8.115
Attachments: 11-15-19 CNP Letter to RCT.pdf; §8.115(a)(5) proposed language(3)(2).docx

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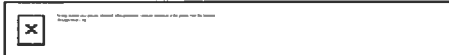
Dear Sir or Madam

Attached hereto are the Comments of CenterPoint Energy regarding the Commission proposed amendments to Sec 8.115.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Daniel R. Renner
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1011 W 31st St, Austin, TX 78705



November 15, 2019

Haley Cochran
Rules Coordinator
Railroad Commission of Texas
Office of General Counsel
P.O. Drawer 12967
Austin, Texas 78711-2967

Re: Proposed Amendments to 16 TAC *Section 8.115 New Construction Commencement Report*

Dear Ms. Cochran:

CenterPoint Energy Resources Corp., d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas ("CenterPoint Texas" or the "Company") submits the following comments with respect to the proposed amendments to Chapter 8 relating to Pipeline Safety Regulations that were approved by the Railroad Commission of Texas ("Commission") on October 1, 2019, for publication in the *Texas Register*.

Following its review of the proposed amendments, CenterPoint Texas met with Commission Staff to discuss the revisions to *Section 8.115, New Construction Commencement Report*. As a result of that discussion, CenterPoint Texas respectfully requests that the Commission revise the proposed amendments to reflect the redlined changes shown in the attached document. CenterPoint Texas believes that this revision will provide clarification to the operators of liquefied petroleum gas, natural gas and master meter distribution systems with respect to the reporting requirements associated with the construction of new systems less than 10 miles in length.

In addition, CenterPoint Texas respectfully suggests that the PS-48 New Construction Report form be revised to instruct operators to file the form by emailing it to the Commission as a PDF attachment. This suggestion is made because, while the Commission's New Pipeline Construction Reports web page states a preference for receiving the form by email so that the report "...will be processed more quickly," the PS-48 form itself directs the operator to return the completed form to the Commission by mail. Revising the form will clarify the Commission's preference to receive PS-48 as a PDF attachment to an email.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions concerning these requested revisions.

Sincerely,

A handwritten signature in black ink that reads "Keith L. Wall".

Keith L. Wall

Director of Regulatory Affairs

Attachment

cc: Natalie Dubiel
Dan Renner

§8.115.New Construction Commencement Report.

(a) An operator shall notify the Commission before the construction of pipelines and other facilities as follows.

(1) For construction of a new, relocated, or replacement pipeline 10 miles in length or longer including liquified petroleum gas distribution systems, natural gas distribution systems, and master meter systems 10 miles in length or longer, an operator shall notify the Commission not later than 60 days before construction.

(2) Except as provided in paragraph (4) of this subsection, for construction of a new, relocated, or replacement pipeline at least one mile in length but less than 10 miles, an operator shall notify the Commission not later than 30 days before construction.

(3) For installation of any breakout tank, an operator shall notify the Commission not later than 30 days before installation.

(4) For relocated or replacement construction on liquified petroleum gas distribution systems, natural gas distribution systems, or master meter systems less than three miles in length, no construction notification is required. For relocated or replacement construction on liquified petroleum gas distribution systems, natural gas distribution systems, or master meter systems at least three miles in length but less than 10 miles in length, an operator shall either:

(A) notify the Commission not later than 30 days before construction by filing a Form PS-48 for every relocated or replacement construction; or

(B) provide to the Commission a monthly report that reflects all known projects planned to be completed in the following 12 months, all projects that are currently in construction, and all projects completed since the prior monthly report. The report should provide the status of each project, the city and county of each project, a description of each project, and the estimated starting and ending date.

(5) For the ~~initial~~ construction of a new liquefied petroleum gas distribution system, natural gas distribution system, or master meter system less than 10 miles in length, ~~in a new subdivision or any construction that results in a new distribution system ID,~~ an operator shall either:

(A) notify the Commission not later than 30 days before construction by filing a Form PS-48 for every initial construction; or

(B) provide to the Commission a monthly report that reflects all known projects planned to be completed in the following 12 months, all projects that are currently in construction, and all projects completed since the prior monthly report. The report should provide the status of each project, the city and county of each project, a description of each project, and the estimated starting and ending date.

(6) For construction of a sour gas pipeline and/or pipeline facilities, as defined in §3.106 of this title (relating to Sour Gas Pipeline Facility Construction Permit), an operator shall notify the Commission not later than 30 days before construction by filing Form PS-48 and Form PS-79.

(7) Pipelines subject to §8.110 of this title (relating to Gathering Pipelines) are exempt from the construction notification requirement.

(b) Any of the notifications required by subsection (a) of this section, unless an operator elects to use the alternative notification allowed by subsection (a)(4) of this section, shall be made by filing [~~Except as set forth below, at least 30 days prior to commencement of construction of any installation totaling one mile or more of pipe, each operator shall file~~] with the Commission Form PS-48 [~~a report~~] stating the proposed originating and terminating points for the pipeline, counties to be traversed, size and type of pipe to be used, type of service, design pressure, and length of the proposed line [~~on Form PS-48~~]. If a notification is not feasible because of an emergency, an operator must notify the Commission as soon as practicable. A Form PS-48 that has been filed with the Commission shall expire if construction is not commenced within eight months of date the report is filed. An operator may submit one extension, which will keep the report

~~active for an additional six months. After one extension, Form PS-48 will expire. [Each operator shall file a new construction report for the initial construction of a new liquefied petroleum gas distribution system. Each operator of a sour gas pipeline and/or pipeline facilities, as defined in §3.106(b) of this title (relating to Sour Gas Pipeline Facility Construction Permit), shall file a new construction report and Form PS-79, Application for a Permit to Construct a Sour Gas Pipeline Facility. New construction on natural gas distribution or master meter system of less than five miles is exempted from this reporting requirement.]~~