

BEFORE THE CORPORATION COMMISSION OF THE STATE OF OKLAHOMA
COURT CLERK'S OFFICE - OKC
CORPORATION COMMISSION
OF OKLAHOMA

IN THE MATTER OF A PERMANENT
RULEMAKING OF THE OKLAHOMA
CORPORATION COMMISSION AMENDING
**OAC 165:20, GAS & HAZARDOUS LIQUID
PIPELINE SAFETY**

CAUSE NO. RM 201900010

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Transportation Division of the Oklahoma Corporation Commission ("Commission") recommends that the Commission amend the Gas & Hazardous Liquid Pipeline Safety rules that are set forth in the Oklahoma Administrative Code ("OAC") 165:20. The proposed changes to OAC 165:20 are as follows:

OAC 165:20-1-4 is amended to include underground natural gas storage facilities and to include a reference to proposed addition of Subchapter 6 to OAC 165:20.

OAC 165:20-5-21, 165:20-5-41, 165:20-7-1, and 165:20-11-1 are amended to update the reference to the Code of Federal Regulations ("C.F.R.") to the most recent version.

OAC 165:20-6-1 is added to adopt all of the provisions of 49 C.F.R. Parts 191 and 192, as such exist on January 1, 2020, pertaining to Intrastate Underground Natural Gas Storage Facilities.

OAC 165:20-7-3 is amended to update the reference to the Oklahoma Underground Facilities Damage Prevention Act, Title 63 O.S. §§ 142.1 through 142.13, and to update the reference to the C.F.R. to the most recent version.

NOTICE IS FURTHER GIVEN that the Commission has jurisdiction to initiate this permanent rulemaking pursuant to the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 *et seq.*, 17 O.S. § 152 and Article IX, Section 18 of the Oklahoma Constitution.

NOTICE IS FURTHER GIVEN that the Transportation Division believes it is necessary to amend the current rules. Upon the Commission's adoption of the permanent rules proposed herein, the proposed rules shall be submitted to the Governor and the Oklahoma Legislature for approval as permanent rules.

NOTICE IS FURTHER GIVEN that the proposed rules will be made available for public inspection at the Commission's Oklahoma City Court Clerk's Office, First Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. A copy of the proposed rules may be requested by phone at (405) 521-2352, email at courtclerk@occ.ok.gov, or by visiting the Commission's Oklahoma City Court Clerk, First Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. The proposed rules are also

accessible on the Commission's website at <http://www.occeweb.com/rules/proprules/proprule.html> and may be downloaded at no cost to the end user.

NOTICE IS FURTHER GIVEN that the Rule Impact Statement required pursuant to 75 O.S. § 303(D) will be timely prepared and made available for public inspection at the Commission's Oklahoma City Court Clerk's Office, First Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, no later than fifteen (15) days after the date of publication of this Notice of Proposed Rulemaking.

NOTICE IS FURTHER GIVEN that the Transportation Division will have a **technical conference on February 18, 2020 at 1:30 p.m.** in Courtroom 301, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. All parties interested in the proposed rules are urged and welcome to attend. One or more of the Commissioners may be present at the technical conference and may participate in the dialogue with the rulemaking participants regarding the subject of the proposed rulemaking.

NOTICE IS FURTHER GIVEN that the Commission invites all interested persons to **submit comments regarding the proposed changes to the Rules on or before February 28, 2020.** Those persons interested in submitting comments should file with the Commission's Oklahoma City Court Clerk at least three (3) copies of their comments (an original for the Court Clerk and a copy for the filer), referring to Cause No. RM 201900010. A file stamped copy of the comments should be either sent via email to Deputy General Counsel Michael Copeland at michael.copeland@occ.ok.gov or hand delivered to the Commission's Judicial and Legislative Services Division, Fourth Floor, Jim Thorpe Office Building. The comments will be made available for public inspection during regular business hours of the Court Clerk, 8:00 a.m. to 4:30 p.m., and/or may be downloaded at no cost to the end user from the Commission's imaging system at <http://imaging.occeweb.com/imaging/OAP.aspx>.

Pursuant to 75 O.S. §§ 303 and 504, business entities are requested, if the proposed rules affect such entities, to provide to the Commission in writing, a description of the probable quantitative (costs) and qualitative impact of the proposed rules, economic or otherwise, using quantifiable data to the extent possible, taking into account both short-term and long-term consequences.

NOTICE IS FURTHER GIVEN that the Commission, in a public hearing, shall consider the adoption of the proposed permanent rules at **9:30 a.m. on March 10, 2020**, in Courtroom 301, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105.

NOTICE IS FURTHER GIVEN that further information and inquiries regarding this proposed rulemaking should be directed to Michael Copeland, Deputy General Counsel, by telephone at (405) 522-1638, email at michael.copeland@occ.ok.gov, or Darren Ferguson, Assistant General Counsel, by telephone at (405) 522-5491, email at darren.ferguson@occ.ok.gov, or at Room 400, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, or Post Office Box 52000, Oklahoma City, Oklahoma 73152-2000.

CORPORATION COMMISSION OF OKLAHOMA

J. TODD HIETT, Chairman

Bob Anthony

BOB ANTHONY, Vice Chairman

Dana L. Murphy

DANA L. MURPHY, Commissioner

CERTIFICATION

DONE and PERFORMED this 22nd day of January, 2020 BY ORDER OF
THE COMMISSION:

[Seal]

Peggy Mitchell

PEGGY MITCHELL, Commission Secretary