

BEFORE THE CORPORATION COMMISSION OF THE STATE 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 202100001

NOTICE OF PROPOSED RULEMAKING

NOTICE IS HEREBY GIVEN that the Transportation Division ("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 correct subchapter references.

OAC 165:20-5-13(b) and (c), OAC 165:20-5-14(b) and (c), and 165:20-7-6 are stricken.

OAC 165:20-5-21, 165:20-5-41, 165:20-6-1, 165:20-7-1, 165:20-7-3, and 165:20-11-1 are amended to update statutory reference dates.

OAC 165:20-17-7 is amended to propose limits to the notice of excavation damage requirement for property damage that exceeds \$5,000 in value.

OAC 165:20-17-8 is amended to clarify semiannual damage summary report requirements.

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.*, 52 O.S., §§ 5 and 47.3, and Article IX, Sections 4 and 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 on the Commission's website at <https://oklahoma.gov/occ/dockets/rules/proposed-rules.html>, and may be downloaded at no cost to the end user. A copy of the proposed rules may be requested by contacting Michael P. Copeland at (405) 522-1638, or Michael.Copeland@occ.ok.gov.



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 on the Commission’s website at <https://oklahoma.gov/occ/dockets/rules/proposed-rules.html>, no later than fifteen (15) days after the date of publication of this Notice of Proposed Rulemaking.

NOTICE IS FURTHER GIVEN that Transportation Division will have a **technical conference on February 19, 2021 at 9:30 a.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. In response to the COVID-19 pandemic, members of the public may participate and/or livestream the technical conferences remotely.

NOTICE IS FURTHER GIVEN that the Commission invites all interested persons to **submit comments regarding the proposed changes to the Rules on or before March 12, 2021.** To file the comments, please send them by email to okcfilings@occ.ok.gov or by mailing them to the Commission’s Oklahoma City Court Clerk at Post Office Box 52000, Oklahoma City, Oklahoma 73152-2000, referring to Cause No. RM 202100001. A file stamped copy of the comments should be sent via email to Michael P. Copeland at Michael.Copeland@occ.ok.gov. Filed comments will be made available for public inspection 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 18, 2021**, in Courtroom 301, Third Floor, Jim Thorpe Office Building, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105. In response to the COVID-19 pandemic, members of the public may participate and/or livestream the public hearing remotely.

NOTICE IS FURTHER GIVEN that further information and inquiries regarding this proposed rulemaking should be directed to Michael P. Copeland, Deputy General Counsel, by telephone at (405) 522-1638, email at Michael.Copeland@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.

[Signatures on subsequent page 3]

CORPORATION COMMISSION OF OKLAHOMA



J. TODD HIETT, CHAIRMAN



BOB ANTHONY, VICE CHAIRMAN



DANA L. MURPHY, COMMISSIONER

CERTIFICATION

DONE AND PERFORMED by the Commissioners participating in the issuance of this Notice of Proposed Rulemaking, as shown by their signatures above, this 5th day of February, 2021.

BY ORDER OF THE COMMISSION:





PEGGY MITCHELL, Commission Secretary