BEFORE THE

UNITED STATES DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

WASHINGTON, D.C.

Pipeline Safety: Information Collection Activities, Excess Flow Valve Census	))))	Docket No. PHMSA–2012–0086

Comments of the American Public Gas Association

The American Public Gas Association ("APGA") is the national, non-profit association of publicly-owned natural gas distribution systems. APGA was formed in 1961 as a non-profit, non-partisan organization, and currently has approximately 700 members in 36 states. Overall, there are nearly 1,000 municipally-owned systems in the U.S. serving more than five million customers. Publicly-owned gas systems are not-for-profit retail distribution entities that are owned by, and accountable to, the citizens they serve. They include municipal gas distribution systems, public utility districts, county districts, and other public agencies that have natural gas distribution facilities. Therefore all APGA members will be expected to complete the proposed excess flow valve (EFV) census..

APGA appreciates the opportunity to submit comments on the Pipeline and Hazardous Materials Safety Administration (PHMSA) proposed EFV census published in the Federal Register on May 15, 2012. APGA supports the efforts of PHMSA to conduct a rulemaking on potential uses of EFVs in multifamily, commercial and industrial service lines. APGA understands that as part of the rulemaking process PHMSA is required to perform a cost/benefit analysis. The proposed census is aimed at collecting the data PHMSA believes are necessary for it to perform such a cost/benefit study, however APGA is concerned that few, if any, distribution operators will be able to provide the information sought by PHMSA. For example, the proposed census asks for information on the number of replaced services to large and small non-residential space and water heat customers. APGA's members generally do not maintain records of what appliances exist at each customer's premise, or if such records do exist, they may not be linked to operational records. In addition the census asks for information on the number of line breaks, the number of times curb valves have been closed, operating pressures, presence of contaminants and other information that is not readily available to APGA members. There is no operational or safety purpose for keeping much of this information, therefore few if any utilities will be able to accurately complete the survey.

APGA questions the accuracy of PHMSA's estimate of the burden of the proposed collection of information. PHMSA estimates it would require 16 hours' effort by each of 1,235 operators to complete the 127 question census. APGA believes the actual burden would far exceed 16 hours.

PHMSA already has data on the total number of excavation-caused service line leaks repaired by each operator from its Distribution Annual Reports. With a few days' effort by each operator, some of these operators may be able to determine how many of these leaks were on multi-family, commercial and/or industrial services. This would require cross-referencing operating records on leaks repaired with non-operational records such as customer profile information. With a few more days' effort some operators may be able to determine the operating pressure of the service at the time of the leak and the pressure profile of the service lines over the course of a year. Much of the additional data, such as number of times curb valves are operated, will simply not be available as there is no operational or safety value in keeping such records.

APGA estimates that it would require several man-months of effort for each operator to assemble the data requested in the proposed EFV survey, assuming that records exist.

Were PHMSA to proceed with the census as written, APGA expects that the quality of the data will be poor since most answers will rely on best guesses rather than reliable records. The only means by which PHMSA could enhance the quality, utility and clarity of the information to be collected would be to ask a representative sample of distribution operators to begin tracking prospectively the information PHMSA seeks. This would delay the issuance of any EFV rule for several years.

APGA does not believe the census is necessary. APGA, the American Gas Association and several EFV manufacturers provided comments to the November 25, 2011 Advance Notice of Proposed Rulemaking on large volume EFVs that identified additional circumstances where there is consensus that EFVs can be installed over and above single residential service lines. APGA believes that a credible cost/benefit analysis can be performed using PHMSA's existing incident and leak repair data, EIA Form 176 data on the number of residential and commercial services lines and reasonable assumptions about how many excavation leaks would have tripped an EFV. APGA does not believe that the proposed census would significantly improve the accuracy of PHMSA's cost-benefit analysis and certainly could not justify the significant time and effort required for operators to complete the proposed census.

APGA appreciates the opportunity to provide input to PHMSA on this issue. APGA welcomes any questions regarding these comments.

Bert Kalisch, President & CEO