

PUBLIC SERVICE COMMISSION OF WISCONSIN

Revision of Wisconsin Administrative Code Chapter PSC 135 Gas Safety to
Adopt Updates to the Federal Gas Pipeline Safety Code

1-AC-258

NOTICE OF PRELIMINARY PUBLIC HEARING AND COMMENT PERIOD - SECOND

Hearing Date:

Tuesday, February 28, 2023 – 1:00 p.m. CT

Hearing Location:

No Physical Location

Public Participation:

The Commission shall receive comments from the public. To comment at the hearing, anyone may either:

- (1) Attend any physical location as noticed, or
- (2) Zoom at <https://us02web.zoom.us/my/pschearings>
If no adequate internet connection exists, join Zoom by telephone.
Dial: +1 312 626 6799
Enter Meeting ID: 809 513 2930

Alternatively, a member of the public may comment in writing no later than **Monday, March 6, 2023**, by either:

- (1) The internet at:
<https://apps.psc.wi.gov/ERF/ERF/comment/filecomment.aspx?util=1&case=AC&num=258>, or¹
- (2) U.S. Mail at:
Docket 1-AC-258 Comments
Public Service Commission
P.O. Box 7854
Madison WI 53707-7854

Any utility, organization, or interest group who submits a written comment shall file only one comment by the deadline shown above, using the Commission's ERF system. To file a comment, go to <https://apps.psc.wi.gov/ERF/ERFupload/default.aspx> and follow the provided instructions.

Public Observation:

- Anyone may observe the hearing by either:
- (1) Attending any physical location as noticed,
 - (2) Zoom at <https://us02web.zoom.us/my/pschearings>

¹ As an alternative to submitting a comment directly to the Commission, state law allows anyone to file a web comment on the Legislative Rules Clearinghouse website, <https://docs.legis.wisconsin.gov/code/comment>. This site forwards the comment to the Commission.

If no adequate internet connection exists, join Zoom by telephone.

Dial: +1 312 626 6799

Enter Meeting ID: 809 513 2930, or

(3) YouTube livestream (if feasible) at:

<https://apps.psc.wi.gov/APPS/eventscalendar/broadcast/livebroadcast.aspx>

More Information:

Documents and Schedule. To access the documents, the current schedule, and other information about this docket go to the PSC Case Management System at:

<https://apps.psc.wi.gov/APPS/dockets/content/detail.aspx?id=1&case=AC&num=258>

Schedule Updates. To receive email updates to the schedule, subscribe to the docket calendar at:

<https://apps.psc.wi.gov/APPS/docketCalendar/Content/Subscribe.aspx>

New Filings. To receive email notices of new filings in this docket go to ERF - EZ Subscriptions at:

<https://apps.psc.wi.gov/ERF/ERF/ERFhome.aspx>

Contact the Case Coordinator Alex Kirschling, at:

(608) 266-5576 or Alex.Kirschling@wisconsin.gov

NOTICE IS GIVEN that the Public Service Commission of Wisconsin will hold a hearing in this docket as listed above. This notice supersedes the Notice of Preliminary Public Hearing and Comment Period. ([PSC REF#: 455167.](#)) The presiding Administrative Law Judge (ALJ) may allot additional time to receive evidence and comments, if necessary.

The Commission will conduct the proceedings of this docket as an uncontested case.

Pursuant to Wis. Stat. § 227.136(2), the Commission is considering the promulgation of administrative rules to amend Wis. Admin. Code ch. PSC 135 (PSC 135), relating to Gas Safety.

An existing agreement with the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA), Office of Pipeline Safety, authorizes the Commission to enforce federal natural gas pipeline safety requirements as set out in the Code of Federal Regulations, 49 CFR Parts 192, 193, and 199. As part of the agreement, the Commission adopts the federal pipeline safety code in s. PSC 135.019. Section PSC 135.019 currently adopts the federal code as it exists through March 21, 2021. Since that date, PHMSA updated the federal code with respect to gas gathering pipelines and valve installation and rupture detection standards. Adoption of the latest changes to the federal code will: (1) keep the state standards for gas safety up to date with national industry trends, (2) allow the commission to enforce these standards in Wisconsin, and (3) maintain the Commission's compliance with its agreement with the U.S. Government to enforce these standards in exchange for reimbursement of program costs. This rulemaking also provides a further opportunity to update ch. PSC 135 to reflect current technology and accepted industry safety practices.

Pursuant to Wis. Stat. § 227.135(1), a statement of scope is prepared in advance of any rule that the Commission plans to promulgate. The Commission ([PSC REF#: 444811](#)) and Governor ([PSC REF#: 447400](#)) have approved the statement of scope, a copy of which was published in the Wisconsin Administrative Register on October 3, 2022 in [Register 802A1](#). The Commission has been directed by the

co-chairperson of the Joint Committee for Review of Administrative Rules (JCRAR) to hold a preliminary public hearing and comment period on the statement of scope in this docket. Pursuant to Wis. Stat. § 227.136(7), a preliminary public hearing and comment period on a statement of scope does not relieve the agency of its obligation to hold an agency hearing on proposed rules under Wis. Stat. § 227.16, after proposed rules are available for review.

PUBLIC COMMENTS. A person may testify in this proceeding without becoming a party and without attorney representation. A person may submit this testimony in only one of the ways listed above for making a comment. The Commission may reject a comment that does not comply with the requirements described in this notice

PUBLIC RECORDS. Any material submitted to the Commission is a public record and may appear on the Commission web site. For any hearing session livestreamed over YouTube, a recording will appear on the Commission's YouTube channel.

AMERICANS WITH DISABILITIES ACT. The Commission does not discriminate on the basis of disability in the provision of programs, services, or employment. Any person with a disability who needs accommodations to participate in this docket or who needs to obtain this document in a different format should contact the case coordinator listed above. Any hearing location is accessible to persons with a physical disability. Any hearing conducted with Zoom, and any livestream, conducted over YouTube, will provide: (1) the image of the face of each person speaking, and (2) closed captioning.

Dated at Madison, Wisconsin, the 16th day of February, 2023.