

Chapter PSC 135

GAS SAFETY

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History: Chapter PSC 135 as it was in effect on May 31, 1972 was repealed and a new chapter PSC 135 was created, Register, May, 1972, No. 197, effective 6-1-72.

PSC 135.01 Character of construction, maintenance, and operation. All gas transmission, distribution, and utilization equipment and facilities shall be constructed, installed, operated, and maintained in a reasonably adequate and safe manner and as a minimum more specifically provided for herein.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.02 Facilities, inspection and repairs. All facilities shall be cleaned when necessary and inspected at such intervals as experience has shown to be necessary. Any facilities known to be defective so as to endanger life or property shall be promptly repaired, permanently disconnected, or isolated until repairs can be made. Construction, repairs, additions, and changes to gas transmission and distribution facilities shall be made by qualified persons only.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.03 Application of rules. Every gas utility that operates gas transmission or distribution facilities in the state shall comply with the rules in this chapter.

(1) **WAIVING RULES.** The rules may be modified or waived by the public service commission. They may be so modified or waived in particular cases wherever shown to be impracticable for special reasons or where the advantage of uniformity with existing construction is greater than the advantage of construction in compliance with the rules providing the existing construction is reasonably safe or if equivalent or safer construction is secured in other ways.

(2) **TEMPORARY INSTALLATIONS.** It will sometimes be necessary to modify or waive certain of the rules in case of temporary installations or installations which are shortly to be dismantled or reconstructed. Such temporary construction may be used for a reasonable length of time provided it is under competent supervision while it or adjoining equipment is under pressure or if it is protected by suitable barriers or warning signs when accessible to any person, without fully complying with this code; but all such construction shall be made reasonably safe.

(3) **EMERGENCY.** In case of emergency or pending decision of the public service commission, the person responsible for the installation may decide as to modification or waiver of any rule or order, subject to review by the public service commission.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.04 Interference with public service facilities. (1) No utility or operating company having any work upon, over, along, or under any public street or highway or upon, over, along, or under any private property shall interfere with, destroy, or disturb the facilities of any other public service corporation or railroad encountered in the performance of such work so as to interrupt, impair, or affect the public service for which such facilities may be used, without first reaching an agreement concerning the location and the nature of the proposed work.

(2) A utility or operating company shall exercise care when working in close proximity of existing facilities. When the facilities are underground and are to be exposed or possibly may be exposed, hand-digging shall be employed. In these cases, such support as may be reasonably necessary for protection of the facilities shall be provided in and near the construction area. When backfilling an excavation, such procedures and materials shall be employed to provide reliable support for existing underground facilities in and near the construction area.

(3) A utility or operating company shall, in the absence of working arrangements, give at least 3 days' written notice (not counting Saturdays, Sundays, and legal holidays) to all utilities, operating companies, or railroads and to those who may have facilities in and near the construction area which may be affected by the proposed work. The utility or operating company proposing to work shall obtain from the affected party the location of the existing facilities determined to be affected or to be in and near the construction area.

(4) A utility or operating company upon receiving a notice of proposed construction shall furnish in 3 days detailed information relative to location and type of facilities that are present in the proposed construction area. In those cases where the facilities are underground, they shall be marked physically in the field relative to location.

(5) Nothing in the above shall prevent a utility or operating company from proceeding as quickly as possible with any emergency construction work which might interfere with existing facilities. However, all reasonable precautions shall be taken to avoid or minimize damage or interference to the other facilities and notification shall be given as soon as possible to the utilities or operating company which have facilities in the construction area.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.05 Protection of utility facilities. A public utility or operating company upon receipt of written notice as required by section 66.047 (2), Wis. Stats., from the property owner or from a contractor of work which may affect its facilities used for serving the public:

(1) Shall investigate and decide what action, if any, must reasonably be taken to protect or alter facilities, in order to protect service to the public and to avoid unnecessary damage, such as identifying

in a suitable manner the location of any underground facilities which may be affected by the work.

(2) The utility or operating company shall take such action as is reasonably and legally necessary to protect, remove, alter, or reconstruct its facilities, and shall perform such work with reasonable dispatch taking into account the conditions to be met, provided that nothing in this rule shall be deemed to affect any right which the utility or operating company may have to require advance payment or adequate assurance of payment of the reasonable cost thereof to the utility or operating company by the property owner or contractor.

(3) The utility or operating company may, in order to protect its interests, require that the owner or contractor perform certain work upon that part of the service piping or wiring on or being removed from the property upon which the excavating, building, or wrecking operations are being performed.

(4) This rule is not intended to affect the responsibility of the contractor or owner, or the liability or legal rights of any party.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.06 Leak survey reports. The department of transportation in accordance with part 191 of title 49 of the Code of Federal Regulations "Transportation of Natural and Other Gas by Pipeline: Reports of Leaks" requires each operator of a distribution system and/or of a transmission system to submit an annual report for the preceding calendar year not later than February 15. The operators of such systems in Wisconsin shall submit a copy of these reports to this commission on or before the filing date as required by the federal regulations. In addition to this annual report and at the same time, the operators shall report the number of leaks which were found in customer owned facilities by either a survey or complaint during the preceding calendar year.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.07 Over-pressure protection. Over-pressure protection is required by subsection 192.197 of this chapter and shall apply to all installations. All present installations where such protection is not provided shall be changed so that 100% compliance will be attained by the end of the first testing cycle after January 1, 1968 as provided in section PSC 134.30.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.08 Report of proposed construction. Prior to construction or reconstruction of any gas transmission line exceeding one mile in length or any gas main exceeding 1,000 feet in length intended to be subjected to pressures in excess of 100 p.s.i.g., a report shall be filed with the commission setting forth the specifications for such pipeline or main. This report shall contain at least the following information:

(1) The necessary data to calculate the design pressure as set forth in 192.105.

(2) The design pressure as determined by the utility or operating company.

(3) The expected pressure at which the pipeline or main will be operated.

(4) The pressure to which the pipeline or main will be tested.

History: Cr. Register, May, 1972, No. 197, eff. 6-1-72.

PSC 135.09 Adoption of federal minimum safety standards. (1) The federal department of transportation, office of pipeline safety, pursuant to the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1675,— et seq.) has established minimum safety standards for pipeline facilities and the transportation of gas, as set forth in part 192 in title 49, Code of Federal Regulations. In accordance with the Natural Gas Pipeline Safety Act of 1968 and requirements of the federal department of transportation, such minimum safety standards are hereby adopted as state safety standards. (The numbering system and sequence used in said minimum safety standards are herein used for convenience and clarity.) Additions have been made to the minimum safety standards of the federal department of transportation as adopted herein and follow the section of the adopted federal standards to which the additions directly relate or if the additions do not directly relate to any particular adopted federal standard the additions are inserted in the numbering sequence within the appropriate subpart. In all cases the additions appear in italics preceded by *PSC 192* plus the appropriate section number. Copies of the publications referred to are available for inspection at the office of the public service commission, the secretary of state and the revisor of statutes or may be procured for personal use from the addresses listed in Appendix A—Incorporated by Reference, I. Lists of organizations and addresses, which follows section *PSC 192.753*.

(2) The inspection and maintenance plans required to be filed by intrastate gas utilities in accordance with section *PSC 135.09-192.17* shall be filed with this commission not later than February 1, 1971. Each change in such plans shall be filed with this commission within 20 days after the change is made.

**WISCONSIN CODE ADOPTION
OF
PART 192 IN TITLE 49
CODE OF FEDERAL REGULATIONS WITH ADDITIONS**

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