

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

In the Matter of the Application of Kansas)
Gas Service, a division of ONE Gas, Inc., for) Docket No. 25-KGSG-____-MIS
Waiver of the Requirements of K.A.R.)
82-11-4(31) for Farm Tap Customers)

APPLICATION FOR WAIVER

Kansas Gas Service, a division of ONE Gas, Inc., (“Kansas Gas Service”) pursuant to K.A.R. 82-11-9, respectfully submits this application for a waiver of the odorant sampling requirements of K.A.R. 82-11-4(b)(31) for jurisdictional domestic farm tap and individual service line (collectively “ISL”) customers served by Kansas Gas Service. In support of its Application, Kansas Gas Service states the following to the State Corporation Commission of the State of Kansas (“Commission”):

I. DESCRIPTION OF KANSAS GAS SERVICE

1. Kansas Gas Service is a natural gas public utility operating in the state of Kansas pursuant to certificates of convenience and necessity issued by the Commission. ONE Gas, Inc., is a 100% regulated natural gas distribution company which operates the largest natural gas public utilities in Kansas and Oklahoma, and the third largest in Texas. Kansas Gas Service’s principal place of business in Kansas is 7421 West 129th Street, Overland Park, Kansas 66213.

II. COMMUNICATION

2. The names and contact information of persons authorized to receive pleadings, notices, orders, and other communications in this docket on behalf of Kansas Gas Service are:

Robert Elliott Vincent
Managing Attorney
Kansas Gas Service
A Division of ONE Gas, Inc.
7421 W. 129th Street
Overland Park, Kansas 66213
robert.vincent@onegas.com
Phone: 913-319-8615

Lorna Eaton
Manager of Rates & Regulatory Analysis
Kansas Gas Service
A Division of ONE Gas, Inc.
7421 W. 129th Street
Overland Park, Kansas 66213
lorna.eaton@onegas.com
Phone: 913-319-8696

Stephanie Fleming
Legal Assistant
Kansas Gas Service
A Division of ONE Gas, Inc
7421 W. 129th Street
Overland Park, Kansas 66213
stephanie.fleming@onegas.com
Phone: 913-319-8619

James G. Flaherty
Anderson & Byrd, LLP
216 S. Hickory ~ P.O. Box 17
Ottawa, Kansas 66067
jflaherty@andersonbyrd.com
Phone: (785) 242-1234

III. WAIVER REQUEST

3. Kansas Gas Service respectfully requests the Commission waive the requirements of K.A.R. 82-11-4(b)(31)(f) as they apply to jurisdictional ISLs. This waiver request is consistent with promoting pipeline safety and aligns with previous waiver requests granted by the Commission in Docket Nos. 00-PNTG-086-MIS and 24-ATMG-531-MIS.

4. Pursuant to K.S.A. 66-1,150, the Commission has adopted pipeline safety rules and regulations in line with the natural gas pipeline safety act of 1968. K.A.R. 82-11-4 contains Kansas' adoption of the federal pipeline safety standards.

5. Federal pipeline safety standards require Kansas Gas Service to odorize natural gas so it is readily detectable by a person with a normal sense of smell. *See* 49 C.F.R. 192.625. To assure the proper amount of odorant is present, 49 C.F.R. 192.625(f) requires periodic sampling of combustible gases using an instrument capable of determining the percentage of gas in air at which the odor becomes readily detectable. K.A.R. 82-11-4(b)(31)(f) expands on this requirement and modifies 49 C.F.R. 192.625(f) to require monthly odorometer sampling of combustible gases at selected points in the system.

6. Kansas Gas Service odorizes the natural gas provided to ISL customers and conducts monthly odorometer sampling on a portion of these customers. As a result of this cadence, each ISL customer has an odorometer sample conducted on an annual basis not to exceed 15 months.

7. Recently, Commission Staff completed a routine inspection of Kansas Gas Service. Commission Staff issued a Notice of Probable Violation (“NOPV”) and asserted Kansas Gas Service’s annual sampling of ISL customer odorant levels is not consistent with Kansas’ pipeline safety code which requires monthly sampling on selected points in the system. Since an ISL customer is considered an individually odorized system, K.A.R. 82-11-4(b)(31) would require monthly odorometer sampling for each ISL customer. No other customer is required to have their individual odorant levels sampled monthly.

8. The Commission’s Order in Docket No. 24-ATMG-531-MIS recognized that Kansas’ pipeline safety regulations do not “consider the burden monthly sampling of ISLs places on operators.” Order Approving Waiver, Docket No. 24-ATMG-531-MIS, ¶9 (Feb. 4, 2025). Therefore, Kansas Gas Service respectfully seeks a limited waiver to address the issue identified in Commission Staff’s NOPV consistent with the waiver approved in Docket No. 24-ATMG-531-MIS.

9. Kansas Gas Service requests a limited waiver of K.A.R. 82-11-4(b)(31) based on the applicability and sampling frequency requirements proposed by Commission Staff and approved in Docket No. 24-ATMG-531-MIS. Specifically:

- a. The waiver is only applicable to the duration between odorometer samplings and is only applicable to ISLs.
- b. ISLs shall be defined as gas distribution lines connected to a transmission line, gathering line, or other production pipe that serves one residential customer or one irrigation system per odorizer.
- c. Odorant concentration sampling shall be conducted at a minimum annually, not to exceed 15-months between samples; and
- d. All ISLs shall have sampling taps in a suitable location to complete odorant concentration sampling requirements.

10. Kansas Gas Service's proposed waiver fully meets federal pipeline safety requirements. 49 C.F.R. 192.625(f) requires periodic sampling. Kansas Gas Service's request to sample ISLs on an annual basis meets this requirement.

11. Kansas Gas Service's proposed waiver is consistent with pipeline safety. As Commission Staff has noted, "The unique nature of ISLs allow gas operators to inspect them less frequently while maintaining pipeline safety. Furthermore, adherence to existing regulations cannot be completed efficiently." Report and Recommendation, Docket No. 24-ATMG-531-MIS, p. 1. (Filed Oct. 31, 2024). As Commission Staff noted:

Applying the State's monthly odorant sampling requirements to ISLs is inefficient for several reasons. ISLs are spread over a large geographic area and are remote which requires a significant amount of travel to perform the sampling. Each ISL serves one customer, and therefore the number of samples per customer is proportionately higher for ISLs in comparison to multi-meter systems. Odorant sampling locations are limited on ISLs due to the configuration of the ISLs. To acquire a suitable sample, operators must obtain property owner permission to sample odorant at or near the dwelling wall. For these reasons, monthly sampling of ISLs is inefficient in comparison to multi-meter systems.

In addition to the inefficient nature, ISLs have lower relative risk when compared with multi-meter systems. This is primarily due to the reliability of odorization equipment, the ability to store excess odorant, a lower probability of gas leaks in a given service area, and decreased consequence associated with low odorant. Each of these topics is further discussed below.

Report and Recommendation, Docket No. 24-ATMG-531-MIS, p. 3. (Filed Oct. 31, 2024).

12. Kansas Gas Service's proposed waiver will not impact how often ISL odorizers are checked, tested, or serviced. Kansas Gas Service's current procedures require single service odorizers to have this maintenance performed every three calendar years (not to exceed 39 months), and be refilled as needed. Additionally, the annual monitoring of odorant concentration requested in this waiver request will aid in confirming odorant tanks are properly sized for each customer.

13. Kansas Gas Service believes its procedures and Kansas' pipeline safety regulations function well, and only a limited waiver is necessary to address the periodic sampling requirement of its ISLs. Kansas' specific regulations, when applied to ISLs, result in a regulatory requirement no other pipeline facility is subject to. As recognized by Commission Staff, this results in an inefficient use of resources that does not bring about an increase in safety.

14. Pursuant to K.A.R. 82-1-202(a), the Commission has the power to waive any of its regulations, and can waive the requirement of notice and opportunity for hearing if the Commission determines that a waiver of the requirement contained in K.A.R. 82-11-9 is in the public interest. Kansas Gas Service's proposed waiver is in the public interest. As detailed herein the proposed waiver complies with federal pipeline safety regulations and is consistent with public safety. Kansas Gas Service requests approval of its Application without further hearings in this matter.

WHEREFORE, for the reasons set forth herein, Kansas Gas Service respectfully requests its waiver be approved by the Commission.

/s/ **Robert Elliott Vincent**

Robert Elliott Vincent, #26028
KANSAS GAS SERVICE
7421 West 129th Street
Overland Park, Kansas 66213-2634
(913) 319-8615, telephone
(913) 319-8622, facsimile
robert.vincent@onegas.com

James G. Flaherty, #11177
ANDERSON & BYRD, LLP
216 S. Hickory ~ P.O. Box 17
Ottawa, Kansas 66067
(785) 242-1234, telephone
(785) 242-1279, facsimile
jflaherty@andersonbyrd.com

Attorneys for Kansas Gas Service,
a division of ONE Gas, Inc.

VERIFICATION

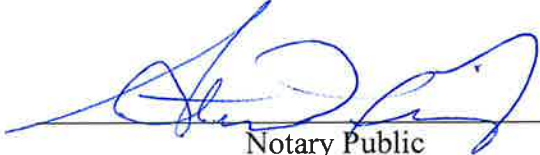
STATE OF KANSAS)
) ss:
COUNTY OF JOHNSON)

The undersigned, upon oath first duly sworn, states that he is the attorney for Kansas Gas Service, a Division of ONE Gas, Inc., that he has read the foregoing **Application for Waiver**, that he is familiar with the contents thereof, and that the statements contained therein are true and correct to the best of his knowledge and belief.



Robert Elliott Vincent

Subscribed and sworn to before me this 28 day of April, 2025.



Notary Public

My Appointment Expires: 6/5/26



CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing *Application for Waiver* was forwarded this 28th day of April, 2025, addressed to:

Celeste Chaney-Tucker
Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027

Patrick Hurley
Chief Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027

Paul Owings
Chief Engineer
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604-4027

/s/ Robert Elliott Vincent
Robert Elliott Vincent