

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

Before Commissioners: Jay Scott Emler, Chairman
Shari Feist Albrecht
Pat Apple

In the Matter of the Complaint Against)
Kansas Gas Service Company and NPL by) Docket No. 16-KGSG-102-COM
Virginia L. Mendez.)

ORDER DISMISSING COMPLAINT

NOW, the above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed its files and records and being duly advised in the premises, the Commission makes the following findings:

I. Background

1. On August 24, 2015, the Complaint of Virginia L. Mendez (Complainant) was received by the Commission. In her Complaint, Ms. Mendez alleges that Kansas Gas Service Company (KGS) and its contractor, Northern Pipeline Construction (NPL), replaced natural gas pipelines in her neighborhood in an unreasonable and unsafe manner.¹ Ms. Mendez also requested that the gas lines in question be re-inspected for safety issues prior to the winter heating season.²

2. On September 24, 2015, KGS filed its Answer. In its Answer, KGS details its previous communications with Ms. Mendez.³ KGS also describes the nature of the Complainant's various concerns and allegations and the specific actions KGS has taken in

¹ Complaint Against Kansas Gas Service Company and NPL by Virginia L. Mendez (Aug. 24, 2015) (Mendez Complaint).

² Mendez Complaint. *See also* Staff's Report and Recommendation (April 25, 2016), p. 1.

³ KGS' Answer, ¶¶ 3-8 (Answer).

response.⁴ KGS requests the Commission dismiss this Complaint because KGS “has investigated this matter thoroughly and has not been able to confirm the accuracy of [the Complainant’s] allegations.”⁵

3. On May 2, 2016, Commission Staff (Staff) filed in this docket its Report and Recommendation (Staff’s R&R). In its R&R, Staff describes a KGS pipeline replacement project in a residential neighborhood near the Complainant’s home. However, Staff also states that KGS’s replacement project did not encompass the pipes on the Complainant’s street, which had been renewed in 1997. Staff explains that the Complainant’s pipes were pressure tested by KGS on July 8, 2015, with no leaks found.

4. Staff’s R&R further states that Staff conducted an on-site investigation as well as a complete review of the construction records of KGS’s pipeline replacement project. Based on its investigation and review of KGS records related to pipeline replacement, leak surveys, and maintenance in the Complainant’s neighborhood, Staff concluded that KGS and NPL have performed all the required tests, inspections and surveys as required by Kansas and Federal Pipeline Safety Regulations. Staff believes the pipelines at issue present no leakage or hazardous conditions. Thus, Staff recommends the Complaint be dismissed and the Docket be closed.

II. Findings and Conclusions

5. The Commission agrees with Staff’s recommendation. Because Staff performed a thorough review of KGS’s tests, inspections and surveys and no leakage or hazardous conditions were found to exist, the Commission finds KGS and NPL have performed all the required tests, inspections and surveys as required by Kansas and Federal

⁴ Answer, ¶¶ 3-8, 10-11, 13.

⁵ Answer, ¶ 9.

Pipeline Safety Regulations. The Commission finds and concludes this Complaint shall be dismissed.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

A. The Complaint against Kansas Gas Service Company (KGS) and Northern Pipeline Construction (NPL) is dismissed.

B. The parties have fifteen (15) days, plus three (3) days if served by mail, from the date this order was served in which to petition the Commission for reconsideration.⁶

C. The Commission retains jurisdiction over the subject matter and parties for the purpose of issuing such further orders, as necessary.

BY THE COMMISSION IT IS SO ORDERED.

Emler, Chairman; Albrecht, Commissioner; Apple, Commissioner

Dated: JUL 12 2016



Amy L. Green
Secretary to the Commission

MJD

Order Mailed Date

JUL 13 2016

⁶ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

CERTIFICATE OF SERVICE

16-KGSG-102-COM

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on JUL 12 2016.

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Order Mailed Date

JUL 13 2016