

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Dwight D. Keen

In the Matter of the General Investigation Into)
the Operations of Kansas Gas Service, a)
Division of ONE Gas, Inc., Regarding the) Docket No. 18-KGSG-120-GIP
Natural Gas Incident that Occurred at 4505 W)
9151 Street in Prairie Village, Johnson County,)
Kansas.)

ORDER CLOSING GENERAL INVESTIGATION

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the files and records, and being duly advised, the Commission finds and concludes as follows:

I. BACKGROUND

1. The Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 60101 et seq.) requires all pipelines transporting natural gas to meet minimum safety requirements as promulgated by the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA). Under the Act, the State of Kansas is to obtain jurisdiction over intrastate natural gas pipelines, provided the state pipeline safety program meets PHMSA certification requirements.
2. The Commission, under the authority of K.S.A. 66-1,150, has oversight for the safety of all intrastate natural gas pipelines and is annually certified by PHMSA. PHMSA requires the Commission to investigate natural gas incidents that have resulted in personal injury requiring hospitalization, a fatality, property damage exceeding \$50,000, the release of more than 3,000 MCF of natural gas, and/or other incidents otherwise considered significant.

3. On September 8, 2017, Commission Staff (Staff) filed its Motion to Open Docket.¹ Staff requested the Commission open a general investigation to examine a natural gas release that occurred at a residence located at 4505 W 91st Street within the city limits of Prairie Village, Kansas.² While no injuries have been associated with the subject incident, the costs associated with the release exceeded \$50,000.³ Kansas Gas Service, a division of ONE Gas, Inc. (KGS), operates the pipeline associated with this incident.⁴ KGS operates within the State of Kansas as a natural gas public utility and is lawfully certified to operate as such. The National Response Center was notified of the incident on July 24, 2017, and this event was assigned Incident Report #20170067-16619.⁵

4. On September 14, 2017, the Commission adopted Staff's request and issued an Order Opening General Investigation.

5. On April 17, 2018, Staff filed its Report and Recommendation.⁶ Staff recommended the Commission find the subject incident was caused by natural forces beyond the control of KGS, and suggested this docket be closed.⁷

II. FINDINGS AND CONCLUSIONS

6. Pursuant to K.S.A. 66-1,150 *et seq.*, the Commission is authorized to adopt rules and regulations as may be necessary to be in conformance with the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 60101 *et seq.*), as amended. Accordingly, pursuant to this authority the Commission has jurisdiction to investigate intrastate natural gas incidents that have resulted in personal injury requiring hospitalization, a fatality, property damage exceeding \$50,000, the

¹ Motion to Open Docket (Sep. 9, 2017).

² *Id.* at pg. 1.

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ Staff's Report and Recommendation (Apr. 17, 2018).

⁷ *Id.*

release of more than 3,000 MCF of natural gas and/or other incidents otherwise considered significant.⁸

7. Staff's Report and Recommendation, filed in this docket on April 17, 2018, is hereby adopted and incorporated by reference. The Commission has reviewed Staff's Report and Recommendation, and hereby adopts the findings and recommendations contained therein.

8. Staff conducted an investigation of the site with KGS and the Northeast Johnson County Fire Marshall on July 27, 2017. The investigation indicated the fire started outside the home in the area of the meter.⁹ There was no evidence on the house of a lightning strike or damage other than that caused by the fire.¹⁰

9. Staff continued the on-site investigation on August 3, 2017. At that time, the gas piping inside the house was pressure tested and demonstrated no gas leak had occurred from the inside piping.¹¹

10. Based on KGS AMR reading intervals, Staff determined the meter at the subject property quit communicating before 11:45 p.m. on July 22, 2017. Because the AMR reading demonstrates the meter was functioning normally at 9:45 p.m. on that date, Staff concluded the incident occurred within that two hour timeframe.¹² Additionally, Staff reviewed the records of the National Weather Service which indicate a strong thunderstorm with wind gusts of 80 miles per hour was in the area during the time frame of 9:00 p.m. to 11:20 p.m.¹³ Because the incident is believed to have been caused by natural forces that were beyond the control of KGS, Staff recommends this investigation be closed.

⁸ For reference, the Commission's adoption of PHMSA regulations, reporting requirements and enforcement procedures may be found at K.A.R. 82-11-1 et seq.

⁹ Staff's Report and Recommendation (Apr. 17, 2018).

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.* at pg. 2.

11. The Commission finds the record for this general investigation is now complete and no further action is required from Staff or KGS at this time. Accordingly, the Commission finds and concludes this docket should be closed.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) For the reasons set forth above, the above-captioned docket is hereby closed, as recommended by Staff.

(B) The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2017 Supp. 77-529(a)(1).

(C) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler Commissioner; Keen, Commissioner

Dated: 05/17/2018



Lynn M. Retz
Secretary to the Commission

PZA

CERTIFICATE OF SERVICE

18-KGSG-120-GIP

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of electronic service on 05/17/2018.

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/S/ DeeAnn Shupe

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