

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

In the Matter of the City of Ford, Kansas,)
Regarding Violations of Kansas Pipeline)
Safety Regulation 49 CFR Part 192 as) Docket No. 17-FORP-219-SHO
Adopted by K.A.R. 82-11-4, and a Violation)
of K.A.R. 82-11-6(b).)

STATUS UPDATE

COMES NOW, the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), and files this Status Update regarding the City of Ford, Kansas' progress in complying with the Commission's Order to Show Cause issued in this proceeding. In support of its Status Update, Staff states as follows:

I. PROCEDURAL BACKGROUND

1. The City of Ford, Kansas ("City" or "Ford"), operates a municipal natural gas utility with approximately eight miles of pipeline serving 127 customers.¹ Accordingly, pursuant to K.S.A. 66-1,150 et seq. and K.A.R. 82-11-1 et seq., the City is subject to the Commission's pipeline safety regulations.

2. On December 22, 2016, the Commission issued an Order to Show Cause against the City ordering the City to enter its appearance and provide an answer detailing any and all remedial action taken to correct the serious and concerning discoveries discussed in Staff's Report and Recommendation.² The Entry of Appearance and Answer were due within 30 days from the date of issuance of the Commission's Order to Show Cause.³

¹ See Staff's Report and Recommendation, p. 2 (Nov. 16, 2016) (Report and Recommendation).

² See Order to Show Cause, pp. 2-3 (Dec. 22, 2016).

³ See *id.*

II. STATUS UPDATE

3. While the City has not formally entered its appearance or submitted an answer to this proceeding, the City has kept Staff informed regarding the City's progress in remediating concerns identified in Staff's Report and Recommendation.

4. Staff reports the City has indicated it has taken the following measures:

- a. Regarding 49 C.F.R. § 192.463 (Count I of the Commission's Order to Show Cause): The City received and approved a bid from Fanshier Construction to install a ground bed and Black Hills was requested to oversee the installation. The bid was approved November 16, 2016, and work was scheduled to be completed the week of February 13, 2017, weather permitting.
- b. Regarding 49 C.F.R. § 192.479 (Count II of the Commission's Order to Show Cause): Meter sets and above ground appurtenances cleaning and painting has been ongoing since October 25, 2016, and is scheduled to continue until completion as weather allows.
- c. Regarding Loss and Unaccounted For Gas: The City is in the process of setting up a program to determine its Loss and Unaccounted For Gas totals on a monthly basis. The City is also working with KGM to assure its billing on irrigation gas is billed correctly.

5. At this time, Staff believes the City is attempting to substantively comply with the Commission's December 22, 2016, Order to Show Cause. Staff's Status Update does not relieve the City of its obligation to formally enter an appearance and submit an Answer to the Commission as a body. However, in the interest of justice Staff is submitting this Status Update

to inform the Commission the City is actively taking steps to comply with Staff and the Commission's stated concerns giving rise to this proceeding.

WHEREFORE, Staff respectfully requests the Commission accept this Status Update, and for any other relief as the Commission may deem appropriate.

Respectfully submitted,

/s/ Robert Elliott Vincent
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Attorney for Commission Staff

CERTIFICATE OF SERVICE

17-FORP-219-SHO

I, the undersigned, certify that a true and correct copy of the above and foregoing Status Update was placed in the United States mail, postage prepaid, or hand-delivered this 17th day of March, 2017, to the following:

ATTN: CITY CLERK
CITY OF FORD
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/S/ Pamela Griffeth

Pamela Griffeth
Administrative Specialist