

9722--A

I N A S S E M B L Y

May 20, 2014

Introduced by M. of A. BRENNAN, RODRIGUEZ, OTIS -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the public service law, in relation to filing gas safety reports

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The public service law is amended by adding a new section
2 66-n to read as follows:
3 S 66-N. GAS SAFETY REPORTS. 1. ON OR BEFORE MARCH FIFTEENTH OF EACH
4 YEAR, EACH GAS CORPORATION SHALL FILE WITH THE DEPARTMENT A GAS SAFETY
5 REPORT. THE DEPARTMENT SHALL REVIEW THE REPORTS TO MONITOR EACH GAS
6 CORPORATION'S PIPELINE REPLACEMENT PROJECTS AND ALL OTHER ACTIVITIES
7 RELATED TO PROVIDING SAFE AND RELIABLE GAS SERVICE IN ORDER TO DETERMINE
8 WHETHER THE PROJECTS OR ACTIVITIES ARE BEING CARRIED OUT IN A MANNER
9 CONSISTENT WITH THIS CHAPTER, THE COMMISSION'S RULES, REGULATIONS AND
10 ORDERS, AND ANY PRACTICE THE DEPARTMENT HAS DEEMED NECESSARY FOR THE
11 PROVISION OF SAFE AND RELIABLE SERVICE, AND TO TRACK HOW EACH GAS CORPO-
12 RATION IS SPENDING ANY FUNDS ALLOCATED FOR PIPELINE REPLACEMENT PROJECTS
13 AND ALL OTHER ACTIVITIES RELATED TO PROVIDING SAFE AND RELIABLE GAS
14 SERVICE.
15 2. THE GAS SAFETY REPORT PROVIDED FOR IN SUBDIVISION ONE OF THIS
16 SECTION SHALL INCLUDE A THOROUGH DESCRIPTION AND EXPLANATION OF THE
17 STRATEGIC PLANNING AND DECISION-MAKING METHODOLOGY USED TO DETERMINE AND
18 PRIORITIZE PIPELINE REPLACEMENT PROJECTS, A DESCRIPTION OF THE CORPO-
19 RATION'S OPERATION AND MAINTENANCE ACTIVITIES RELATED TO GAS SAFETY, A
20 DESCRIPTION OF THE CORPORATION'S INSPECTIONS OF ITS INTRASTATE TRANS-
21 MISSION AND DISTRIBUTION LINES, AND ANY OTHER INFORMATION THE DEPARTMENT
22 MAY REQUIRE. IF THERE HAS BEEN NO SUBSTANTIAL CHANGE IN A GAS CORPO-
23 RATION'S SAFETY REPORT SINCE THE GAS SAFETY REPORT MOST RECENTLY FILED
24 WITH THE DEPARTMENT, THE CORPORATION, WITH CONSENT OF THE DEPARTMENT,
25 MAY FILE AN UPDATED VERSION OF SUCH REPORT.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD15211-02-4

1 2-A. A GAS CORPORATION SHALL ALSO INCLUDE WITH ITS GAS SAFETY REPORT A
2 LIST OF PIPELINE REPLACEMENT PROJECTS COMPLETED BY A GAS CORPORATION
3 WITHIN THE LAST YEAR; SUCH LIST SHALL INDICATE WHICH PROJECTS WERE
4 COMPLETED WITH A GAS CORPORATION'S OWN EMPLOYEES AND WHICH WERE
5 COMPLETED BY CONTRACTORS. THE COMMISSION MAY ALSO ORDER A GAS CORPO-
6 RATION TO SUBMIT AN INDEPENDENT COST BENEFIT ANALYSIS WHICH EXAMINES THE
7 GAS CORPORATION'S USE OF ITS OWN EMPLOYEES AND ITS USE OF CONTRACTORS TO
8 COMPLETE PIPELINE REPLACEMENT PROJECTS.

9 3. IF THE DEPARTMENT DETERMINES THAT THERE IS A DEFICIENCY IN A GAS
10 CORPORATION'S PRIORITIZATION OR ADMINISTRATION OF ITS PIPELINE REPLACE-
11 MENT PROJECTS OR OPERATION AND MAINTENANCE ACTIVITIES RELATED TO GAS
12 SAFETY, THE DEPARTMENT SHALL NOTIFY THE COMMISSION AT THE NEXT SCHEDULED
13 PUBLIC SESSION AND SHALL PROVIDE A BRIEF DESCRIPTION OF THE FACTS AND
14 NATURE OF THE DEFICIENCY. THE COMMISSION MAY ORDER REASONABLE IMPROVE-
15 MENTS THAT WILL BEST PROMOTE THE PUBLIC INTEREST, PRESERVE THE PUBLIC
16 HEALTH AND PROTECT THOSE USING GAS PURSUANT TO THOSE POWERS PROVIDED TO
17 THE COMMISSION AS PROVIDED IN THIS CHAPTER, INCLUDING BUT NOT LIMITED TO
18 THOSE IN SECTION SIXTY-SIX OF THIS ARTICLE.

19 S 2. This act shall take effect immediately.