

U.S. Department of Transportation
Research and Special Programs Administration
400 Seventh St., S.W.
Washington, D.C. 20590

May 17, 2002

Mr. G. Joel Tierney
Utilities Engineer
Montana Public Service Commission
P.O. Box 202601
Helena, MT 59620-2601

Dear Mr. Tierney:

We have considered your memorandum dated September 19, 2001, notifying us the Commission granted the Montana-Dakota Utilities Company a waiver from compliance with the gas pipeline safety standard in 49 CFR 192.321(a). The waiver permits Montana-Dakota to install plastic pipe aboveground inside an 8-inch steel casing attached to a bridge over the Shiloh Drain near the intersection of Shiloh Road and King Avenue in Billings.

This waiver is similar to others that state agencies have granted for above-ground plastic pipe installations on bridges. We have considered those installations safe because they are designed to protect the plastic pipe against mechanical damage, ultraviolet radiation, and stress outside applicable limits. These conditions are part of the Keyspan Energy waiver attached to Montana- Dakota's application. We assume, therefore, they are part of the present waiver. With this understanding, we have no objection to the waiver.

Sincerely yours,
Stacey Gerard
Associate Administrator for Pipeline Safety

Montana Public Service Commission
1701 Prospect Avenue
P.O. Box 202601
Helena, MT 59620-2601

MEMORANDUM

TO: Mr. Richard Huriaux
Manager, Regulations Office of Pipeline Safety 400 Seventh St., SW Washington, DC 20590

FROM: G. Joel Tierney
Utilities Engineer
Montana Public Service Commission

DATE: September 19, 2001

RE: Montana-Dakota Utilities Co. Waiver, Part 192.321(a)

Enclosed for review by the Office of Pipeline Safety is a waiver from Title 49, CFR, Part 192.321(a) granted by the Montana Public Service Commission on September 18, 2001. We understand that OPS has sixty (60) days to review this waiver.

Service Date: September 19, 2001

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

IN THE MATTER OF The Application of)
MONTANA-DAKOTA UTILITIES CO.) UTILITY DIVISION
Request for Waiver from Title 49, CFR,) DOCKET NO. D2001.8.118
Part 192.321(a).)

NOTICE OF COMMISSION ACTION

PLEASE TAKE NOTICE that the Montana Public Service Commission (Commission), at a duly noticed meeting held September 18, 2001, took the following action:

Approved the Application of MONTANA-DAKOTA UTILITIES CO. for a waiver from Title 49, CFR, Part 192.321(a). The approval is effective as of September 18, 2001 and is contingent upon approval of the United States Department of Transportation, Research and Special Programs Administration, Office of Pipeline Safety.

BY THE MONTANA PUBLIC SERVICE COMMISSION
GARY FELAND, Chairman
JAY STOVALL, Vice Chair
BOB ANDERSON, Commissioner
MATT BRAINARD, Commissioner
BOB ROWE, Commissioner

MONTANA-DAKOTA UTILITIES CO.
400 No:1h Fourth Street
Bismarck, ND 58501

August 27, 2001

Dennis Crawford
Montana Public Service Commission
P.O. Box 202601
Helena, MT 59620-2601

Re: Request for Waiver of a portion of 49 CFR, Part 192.321 (a)

Dear Mr. Crawford:

This letter defines certain existing conditions as they relate to the gas pipeline safety regulations, and requests a specific Waiver of Part 192.321(a) to allow the installation of polyethylene pipe in a steel cased crossing attached, above ground, to a bridge. This waiver would eliminate the need for an isolated steel section and thereby eliminate the associated maintenance activities, without jeopardizing public safety.

This waiver will apply to a polyethylene natural gas main attached to a new concrete bridge crossing the Shiloh Drain near the intersection of Shiloh Road and King Avenue in Billings, Montana. The crossing will be with six-inch nominal diameter medium-density polyethylene pipe tested to 100 psig and operated at a maximum operating pressure of 60 psig. The carrier pipe will be in an eight-inch steel casing attached to the bridge in accordance with sound engineering practices. The casing will be vented and the ends sealed to prevent water from entering.

Attached, for your consideration, is a copy of similar waiver granted to Keyspan Energy. Thank you for your time and consideration.

Sincerely,
R. Nelson,
Gas Distribution Manager

Waiver: Keyspan Energy Delivery Services Company

February 20, 2001

US Department of Transportation

Research and Special Programs Administration

Mr. Robert F. Smallcomb, Jr.
Director, Pipeline Engineering and Safety Division
Massachusetts Department of Telecommunications & Energy
One South Station
Boston, MA 02110

Dear Mr. Smallcomb:

We have considered your letter of January 29, 2001, notifying us that the Massachusetts Department of Telecommunications & Energy has granted the Keyspan Energy Delivery Services Company a waiver from compliance with 49 CFR 192.321(a) for plastic pipe across bridge No. B01-006 on School Street in Barnstable and Mashpee. The waiver will permit the installation of about 92 feet of 6-inch plastic pipe above ground inside a 8-inch coated and welded steel casing across the bridge. The steel-encased plastic pipe will be protected against mechanical damage and ultraviolet radiation, and meet all stress limits applicable to plastic pipe.

We have no objection to the waiver. The circumstances are comparable to those of previous waivers we have approved permitting the installation of plastic pipe above ground on bridges.

Sincerely,
Stacey L. Gerard
Associate Administrator for Pipeline Safety