

CASE

NUMBER:

99-240

INDEX FOR CASE: 1999-240
THE UNION LIGHT, HEAT AND POWER COMPANY
Deviation
GAS UTILITY INSPECTION

IN THE MATTER OF THE PETITION OF THE UNION LIGHT, HEAT AND
POWER COMPANY FOR WAIVER

SEQ NBR	ENTRY DATE	REMARKS
0001	06/14/1999	Application.
0002	06/16/1999	Acknowledgement letter.
0003	08/12/1999	Data Request Order; response due 9/1
M0001	09/01/1999	JOHN FINNIGAN CINERGY-DATA RESPONSSSES IN RESPONSE TO ORDER OF AUG 12,99
0004	09/23/1999	FINAL ORDER; DENIES REQUEST FOR DEVIATION FROM 807 KAR 5:006, SEC.25(5)(A)(1)&(2)
M0002	10/18/1999	MICHAEL GRIBLER CINERGY-REQUEST FOR INFORMAL CONFERENCE
M0003	10/18/1999	JOHN FINNIGAN CINERGY-APPLICATION FOR REHEARING
0005	11/05/1999	Order granting rehearing; schedules 11/18 informal conference
M0004	11/29/1999	JOHN FINNIGAN CINERGY-NOTICE OF WITHDRAWAL OF APPLICATION FOR REHEARING
M0005	12/01/1999	JOHN FINNIGAN CINERGY-NOTICE OF WITHDRAWAL OF REQ FOR DEVIATION
0006	02/24/2000	FINAL ORDER; DISMISSES APPLICATION WITHOUT PREJUDICE



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
211 SOWER BOULEVARD
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 1999-240
THE UNION LIGHT, HEAT AND POWER COMPANY

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on February 24, 2000.

Parties of Record:

James B. Gainer
Legal Division
The Union Light Heat & Power Co
139 E. Fourth Street
Cincinnati, OH. 45202

Honorable John J. Finnigan,
Senior Counsel for The Union Light,
Heat and Power Company
P. O. Box 960, Rm. 25 AT II
139 East Fourth Street
Cincinnati, OH. 45201 0960

Stephanie J. Bell

Secretary of the Commission

SB/sa
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PETITION OF THE UNION LIGHT, HEAT AND)
POWER COMPANY FOR A DEVIATION FROM 807) CASE NO. 99-240
KAR 5:006, SECTIONS 25(5)(A)(1) AND (2))

O R D E R

On June 14, 1999, The Union Light, Heat and Power Company ("ULH&P") applied to the Commission for a deviation from Administrative Regulation 807 KAR 5:006, Sections 25(5)(a)(1)¹ and (2).² By our Order of September 23, 1999, we denied ULH&P's application. ULH&P then petitioned for rehearing of this Order. On November 5, 1999, we granted this petition. On December 1, 1999, following an informal conference with Commission Staff, ULH&P withdrew its application and moved for dismissal of this proceeding without prejudice. Having considered the motion and being otherwise sufficiently advised, the Commission finds that the motion should be granted.

IT IS THEREFORE ORDERED that:

1. ULH&P's motion is granted.
2. ULH&P's application for deviation is dismissed without prejudice.

¹ Administrative Regulation 807 KAR 5:006, Section 25(5)(a)(1) states: "At intervals not to exceed every fifteen (15) months but at least once each calendar year, the utility shall inspect and visually examine . . . [a]ccessibility of the curb box and valve on a service line."

² Administrative Regulation 807 KAR 5:006, Section 25(5)(a)(2)(c) states: "At intervals not to exceed the periodic meter test intervals, the curb box and valve on the service line shall be inspected for operable condition."

Done at Frankfort, Kentucky, this 24th day of February, 2000.

By the Commission

ATTEST:


Executive Director

Cinergy Corp.
139 East Fourth Street
Rm 25 AT II
P.O. Box 960
Cincinnati, OH 45201-0960
Tel 513.287.3601
Fax 513.287.3810
jfinnigan@cinergy.com

JOHN J. FINNIGAN,
Senior Counsel



RECEIVED
DEC 01 1999
PUBLIC SERVICE
COMMISSION

November 29, 1999

Hon. Helen Helton
Executive Director
Public Service Commission of Kentucky
730 Schenkel Lane
P.O. Box 615
Frankfort, Kentucky 40602

RE: In the Matter of The Petition of The Union Light, Heat and Power
Company For A Deviation from 807 KAR 5:006, Sections 25(5)(A)(1) and
(2)
Case No. 99-240

Dear Ms. Helton:

Enclosed are an original and fifteen (15) true copies of The Union Light, Heat and
Power Company's Notice of Withdrawal of Request for Deviation for docketing in
the above captioned case.

Please date stamp the extra copies of the enclosed application upon filing and
return in the enclosed, self-addressed envelope for our files.

Very truly yours,

A handwritten signature in cursive script that reads "John J. Finnigan".

John J. Finnigan
Senior Counsel

JJF/nlb

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

RECEIVED
DEC 01 1999
PUBLIC SERVICE
COMMISSION

In the Matter of:

THE PETITION OF THE UNION LIGHT,)
HEAT AND POWER COMPANY FOR)
A DEVIATION FROM 807 KAR 5:006,)
SECTIONS 25(5)(A)(1) and (2)) CASE NO. 99-240

NOTICE OF WITHDRAWAL OF
REQUEST FOR DEVIATION

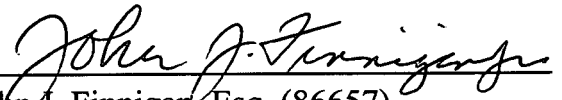
The Union Light, Heat and Power Company ("ULH&P") initiated this action by seeking a waiver from the requirements of 807 KAR 5:006, Sections 25(5)(A)(1) and (2). The Commission issued an Order in this action on September 23, 1999, denying ULH&P's request for a waiver. ULH&P filed an application for a re-hearing in order to seek clarification of the administrative requirements at issue.

ULH&P representatives met with the Commission Staff informally on November 18, 1999 to discuss the matter. Following this discussion, ULH&P has decided to withdraw its request for deviation. ULH&P will formulate a new plan relating to its meter testing and curb box, valve, service regulator, vent and relief valve vent inspections, then present this plan to the Commission in a new proceeding that ULH&P intends to file prior to the end of the year.

For the foregoing reasons, ULH&P respectfully withdraws its request for a deviation and requests that this proceeding be dismissed without prejudice to ULH&P's right to re-file another request for deviation as described herein.

Respectfully submitted,

THE UNION LIGHT, HEAT
AND POWER COMPANY

By: 
John J. Finnigan, Esq. (86657)
James B. Gainer, Esq. (87288)
Associate General Counsel
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Attorneys for The Union Light, Heat
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NOV 29 1999

PUBLIC SERVICE
COMMISSION

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JOHN J. FINNIGAN, JR.
Senior Counsel

November 23, 1999

Hon. Helen Helton
Executive Director
Public Service Commission of Kentucky
730 Schenkel Lane
P.O. Box 615
Frankfort, Kentucky 40602



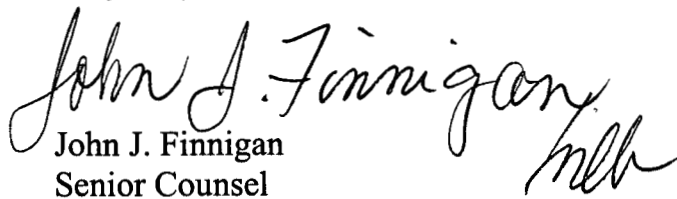
RE: In the Matter of The Petition of The Union Light, Heat and Power
Company For A Deviation from 807 KAR 5:006, Sections 25(5)(A)(1) and
(2)
Case No. 99-240

Dear Ms. Helton:

Enclosed are an original and fifteen (15) true copies of The Union Light, Heat and
Power Company's Notice of Withdrawal of Application for Re-hearing for
docketing in the above captioned case.

Please date stamp the extra copies of the enclosed application upon filing and
return in the enclosed, self-addressed envelope for our files.

Very truly yours,


John J. Finnigan
Senior Counsel

JJF/nlb

Enclosures

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION

RECEIVED
NOV 29 1999
PUBLIC SERVICE
COMMISSION

In the Matter of:

THE PETITION OF THE UNION LIGHT,)
HEAT AND POWER COMPANY FOR) CASE NO. 99-240
A DEVIATION FROM 807 KAR 5:006,)
SECTIONS 25(5)(A)(1) and (2))

NOTICE OF WITHDRAWAL OF
APPLICATION FOR RE-HEARING

The Union Light, Heat and Power Company ("ULH&P") initiated this action by seeking a waiver from the requirements of 807 KAR 5:006, Sections 25(5)(A)(1) and (2). The Commission issued an Order in this action on September 23, 1999, denying ULH&P's request for a waiver. ULH&P filed an application for a re-hearing in order to seek clarification of the administrative requirements at issue.

ULH&P representatives met with the Commission Staff informally on November 18, 1999 to discuss the matter. Following this discussion, ULH&P has decided to withdraw its request for re-hearing. ULH&P will formulate a new plan relating to its meter testing and curb box, valve, service regulator, vent and relief valve vent inspections, then present this plan to the Commission in a new proceeding that ULH&P intends to file prior to the end of the year.

For the foregoing reasons, ULH&P respectfully withdraws its request for a re-hearing without prejudice.

Respectfully submitted,

THE UNION LIGHT, HEAT
AND POWER COMPANY

By: 

John J. Finnigan, Esq. (86657)

James B. Gainer, Esq. (87288)

Associate General Counsel

The Union Light, Heat and Power
Company

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Phone: (513) 287-3601

Attorneys for The Union Light, Heat
and Power Company

Doc. 52000



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

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November 5, 1999.

James B. Gainer
Legal Division
The Union Light Heat & Power Co
139 E. Fourth Street
Cincinnati, OH. 45202

Honorable John J. Finnigan,
Attorney for The Union Light,
Heat and Power Company
P. O. Box 960, Rm. 25 AT II
139 East Fourth Street
Cincinnati, OH. 45201 0960

RE: Case No. 99-240

We enclose one attested copy of the Commission's Order in
the above case.

Sincerely,
Stephanie Bell

Stephanie Bell
Secretary of the Commission

SB/sa
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PETITION OF THE UNION LIGHT, HEAT AND)
POWER COMPANY FOR A DEVIATION FROM 807) CASE NO. 99-240
KAR 5:006, SECTIONS 25(5)(A)(1) AND (2))

ORDER

The Union Light, Heat and Power Company ("ULH&P") has petitioned for rehearing on the Commission's Order of September 23, 1999. It requests clarification of the administrative requirements pertaining to service regulator, vent, relief valve vent, curb box and valve operability inspections. It further requests an informal conference with Commission Staff to discuss the issues related to its petition for rehearing.

Having considered ULH&P's petition and being otherwise sufficiently advised, the Commission finds that the petition should be granted and that an informal conference be convened. Following this conference and our consideration of any evidence adduced at this conference, we will then clarify our Order of September 23, 1999 to address ULH&P's regulatory responsibilities for inspecting certain customer facilities.

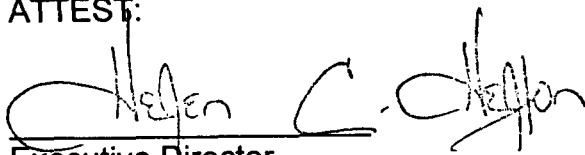
IT IS HEREBY ORDERED that:

1. ULH&P's Petition for Rehearing is granted.
2. An informal conference shall be held in this matter on November 18, 1999 at 1:00 p.m., Eastern Standard Time, in Hearing Room 2 of the Commission's offices at 677 Comanche Trail, Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 5th day of November, 1999.

By the Commission

ATTEST:


Executive Director

October 15, 1999

VIA OVERNIGHT DELIVERY

Helen Helton
Executive Director
Kentucky Public Service Commission
730 Schenkel Lane
P. O. Box 615
Frankfort, KY 40602

Re: Case No. 99-240

Dear Executive Director Helton:

An Application was filed in this proceeding by The Union Light, Heat and Power Company (ULH&P) on June 14, 1999. The Commission, by Order dated September 23, 1999 denied the request to deviate from 807KAR 5:006, Section 25(5)(a)(1) and (2) as well as the request to inspect customer service regulators, vents and relief valves on a geographic basis. By Application for Re-hearing tendered for filing on October 15, 1999, ULH&P is seeking clarification of the Commission's September 23, 1999 Order.

On behalf of ULH&P, I am requesting an informal conference with the Commission staff to discuss the issues involved in this proceeding. It is our expectation that such a conference would assist ULH&P in meeting its regulatory obligations in an economic and efficient manner and would likely reduce the resources required of the Commission in addressing the company's Application for Rehearing. Your prompt consideration of this request is appreciated.

Very truly yours,



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MICHAEL A. GRIBLER
Manager
State Regulatory Affairs

CINERGY RECEIVED
OCT 18 1999
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RECEIVED
OCT 8 1999
PUBLIC SERVICE
COMMISSION

JOHN J. FINNIGAN, JR.
Senior Counsel

October 14, 1999

VIA OVERNIGHT MAIL



Hon. Helen Helton
Executive Director
Public Service Commission of Kentucky
730 Schenkel Lane
P.O. Box 615
Frankfort, Kentucky 40602

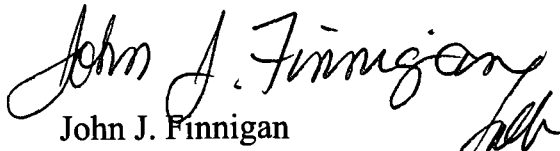
RE: In the Matter of The Petition of The Union Light, Heat and Power
Company For A Deviation from 807 KAR 5:006, Sections 25(5)(A)(1) and
(2)
Case No. 99-240

Dear Ms. Helton:

Enclosed are an original and fifteen (15) true copies of The Union Light, Heat and
Power Company's Application for Re-hearing for docketing in the above
captioned case.

Please date stamp the extra copies of the enclosed application upon filing and
return in the enclosed, self-addressed envelope for our files.

Very truly yours,


John J. Finnigan
Senior Counsel

JJF/nlb

Enclosures

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OCT 18 1999

PUBLIC SERVICE
COMMISSION

**COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION**

In the Matter of:

THE PETITION OF THE UNION LIGHT,)
HEAT AND POWER COMPANY FOR) CASE NO. 99-240
A DEVIATION FROM 807 KAR 5:006,)
SECTIONS 25(5)(A)(1) and (2))

APPLICATION FOR RE-HEARING

Pursuant to KRS §278.400, The Union Light, Heat and Power Company ("ULH&P") applies to the Commission for a re-hearing on the Commission's Order entered in this action on September 23, 1999. ULH&P requests re-hearing in order to seek clarification of the administrative requirements pertaining to service regulator, vent, relief valve vent, curb box and valve operability inspections.

In its original request for waiver in this case, ULH&P sought a change in the inspection cycles for curb boxes and valve accessibility. 807 KAR 5:006, Section 25(5)(a)(1) requires the utility company to inspect the curb box and valve accessibility every 15 months, but at least once per calendar year. 807 KAR 5:006, Section 25(5)(b) and (c) requires each utility company to inspect the service regulator, vent, relief valve vent, curb box and valve for operability at the same interval as the periodic meter tests intervals. ULH&P's waiver request sought permission to change these inspection cycles to combine the curb box and valve accessibility and these operability inspections into one 3-year cycle, to be performed at the same time as ULH&P's leak survey. The Commission denied ULH&P's request for waiver in its Order dated September 23, 1999.

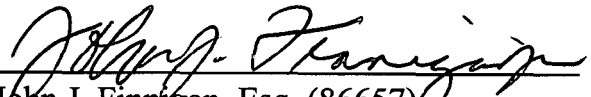
ULH&P no longer seeks to perform the curb box and valve accessibility inspections on a 3-year cycle. Instead, ULH&P proposes to maintain its current practice of inspecting curb box and valve inspections annually.

ULH&P seeks clarification regarding the administrative requirements for performing service regulator, vent, relief valve vent, curb box and valve operability inspections. KAR 25 Section 2(c) provides that each utility company shall inspect this equipment for operability "at intervals not to exceed the periodic meter test intervals." Given the fact that the Commission has approved ULH&P's earlier waiver request to conduct statistical meter testing, ULH&P requests an order from the Commission that ULH&P is permitted to perform the service regulator, vent, relief valve vent, curb box and valve operability inspections at the same time that ULH&P is at the customer's premises to perform meter work under the statistical meter sampling program. If these operability inspections are required to be performed on a schedule different from the visits for statistical meter testing, then this defeats the purpose of the statistical meter sampling program.

For the foregoing reasons, ULH&P respectfully requests that the Commission grant its request for a re-hearing to clarify the Commission's prior Order in this action so as to allow ULH&P to conduct the service regulator, vent, relief valve vent, curb box and valve operability inspections according to the same schedule as ULH&P visits customer premises to perform the statistical meter testing.

Respectfully submitted,

THE UNION LIGHT, HEAT
AND POWER COMPANY

By: 

John J. Finnigan, Esq. (86657)

James B. Gainer, Esq. (87288)

Associate General Counsel

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Attorneys for The Union Light, Heat
and Power Company

Doc. 50392



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
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FRANKFORT, KY. 40602
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 99-240
THE UNION LIGHT, HEAT AND POWER COMPANY

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on September 23, 1999.

Parties of Record:

James B. Gainer
Legal Division
The Union Light Heat & Power Co
139 E. Fourth Street
Cincinnati, OH. 45202

Honorable John J. Finnigan,
Attorney for The Union Light,
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Cincinnati, OH. 45201 0960

Stephanie J. Bell

Secretary of the Commission

SB/sa
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE PETITION OF THE UNION LIGHT, HEAT AND)
POWER COMPANY FOR A DEVIATION FROM 807) CASE NO. 99-240
KAR 5:006, SECTIONS 25(5)(A)(1) AND (2))

O R D E R

On June 14, 1999, The Union Light, Heat and Power Company ("ULH&P") applied to the Commission for authority to deviate from 807 KAR 5:006, Section 25(5)(a)(1) and (2).¹

ULH&P proposes to eliminate the annual curb box and valve accessibility inspection, and to substitute for it an inspection of curb box and valve operability every 3 years in conjunction with its leak survey. Currently ULH&P inspects each curb box and valve for accessibility annually and for operability every 10 years.

In addition, ULH&P requests permission to perform a 10-year residential customer service regulator, vent, and relief valve inspection geographically by dividing its service area into 10 sections and inspecting the equipment of each section annually,

¹ 807 KAR 5:006, Section 25(5)(a)(1), states "At intervals not to exceed every fifteen (15) months but at least once each calendar year, the utility shall inspect and visually examine accessibility of the curb box and valve on a service line."

807 KAR 5:006, Section 25(5)(c), states "At intervals not to exceed the periodic meter test intervals, the curb box and valve on the service line shall be inspected for operable condition."

one section per year. 807 KAR 5:006, Section 25(5)(a)(2)(b),² requires the utility to inspect the equipment every 10 years. ULH&P indicates that the geographical inspection may exceed the 10-year inspection requirement to a maximum of 19 years.

ULH&P states that eliminating annual curb box inspections and performing curb box and valve operability checks every 3 years in conjunction with the leak survey will provide a more efficient means of accomplishing the Commission's regulatory objectives. In response to the Commission's Order dated August 12, 1999, ULH&P indicates that 351 curb boxes and valves were inaccessible during 1997 inspections and that number dropped to 237 in 1998. ULH&P indicates that it serves 75,222 residential customers and that approximately 34,000 curb boxes have inside meter sets.

After reviewing the record and being advised, the Commission finds that:

1. ULH&P has requested permission to deviate from 807 KAR 5:006, Section 25(5)(a)(1) and (2), and has proposed to inspect the curb boxes and valves for accessibility and operability every 3 years.
2. ULH&P proposes to conduct the inspection of residential regulators, vents, and relief valves vents geographically by dividing its service area into 10 sections. Each section would be tested once every 10 years.
3. ULH&P has not provided evidence of safe operation by reducing the inspection for curb box and valve accessibility from annually to 3 years.

² 807 KAR 5:006, Section 25(5)(a)(2)(b), states "At intervals not to exceed the periodic meter test intervals, individual residential customer service regulators, vents and relief valve vents shall be checked for satisfactory operation."

4. ULH&P's request for permission to deviate from KAR 5:006, Section 25(5)(a)(1), should be denied because it will reduce the effectiveness of the Commission's gas safety regulations.

5. ULH&P's request to inspect regulators, relief valves and vents geographically should be denied because some of the equipment will not be inspected within the 10 years as required by the Commission's regulations.

IT IS THEREFORE ORDERED that:

1. ULH&P's request for permission to deviate from 807 KAR 5:006, Section 25(5)(a)(1) and (2), is denied.

2. ULH&P's plan to inspect service regulators, relief valves, and vents geographically is denied.

Done at Frankfort, Kentucky, this 23rd day of September, 1999.

By the Commission

ATTEST:


Executive Director

Cinergy Corp.
139 East Fourth Street, Rm. 25 AT II
P.O. Box 960
Cincinnati, OH 45201-0960
Tel 513.287.3601
Fax 513.287.3810

JOHN J. FINNIGAN, JR.
Senior Counsel

99-240

August 31, 1999

Hon. Helen Helton
Executive Director
Public Service Commission of Kentucky
730 Schenkel Lane
P.O. Box 615
Frankfort, Kentucky 40602

CINERGY.

RECEIVED

SEP 01 1999

PUBLIC SERVICE
COMMISSION

RE: In the Matter of Petition of The Union Light, Heat and Power
Company For a Deviation From Administrative Regulation 807 KAR
5:006, Sections 25(5)(a)(1) and (a)(2)

Dear Ms. Helton:

Enclosed are an original and seven (7) true copies The Union Light, Heat and
Power Company's data responses in the above captioned case pursuant to Order
issued by the Kentucky Public Service Commission dated August 12, 1999.

Please date stamp the extra copy of the enclosed application upon filing and
return in the enclosed, self-addressed envelope for our files.

Very truly yours,



John J. Finnigan
Senior Counsel

JJF/nlb

Enclosures

RECEIVED
SEP 01 1999
PUBLIC SERVICE
COMMISSION

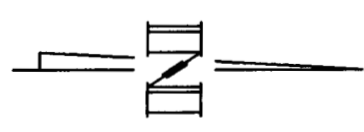
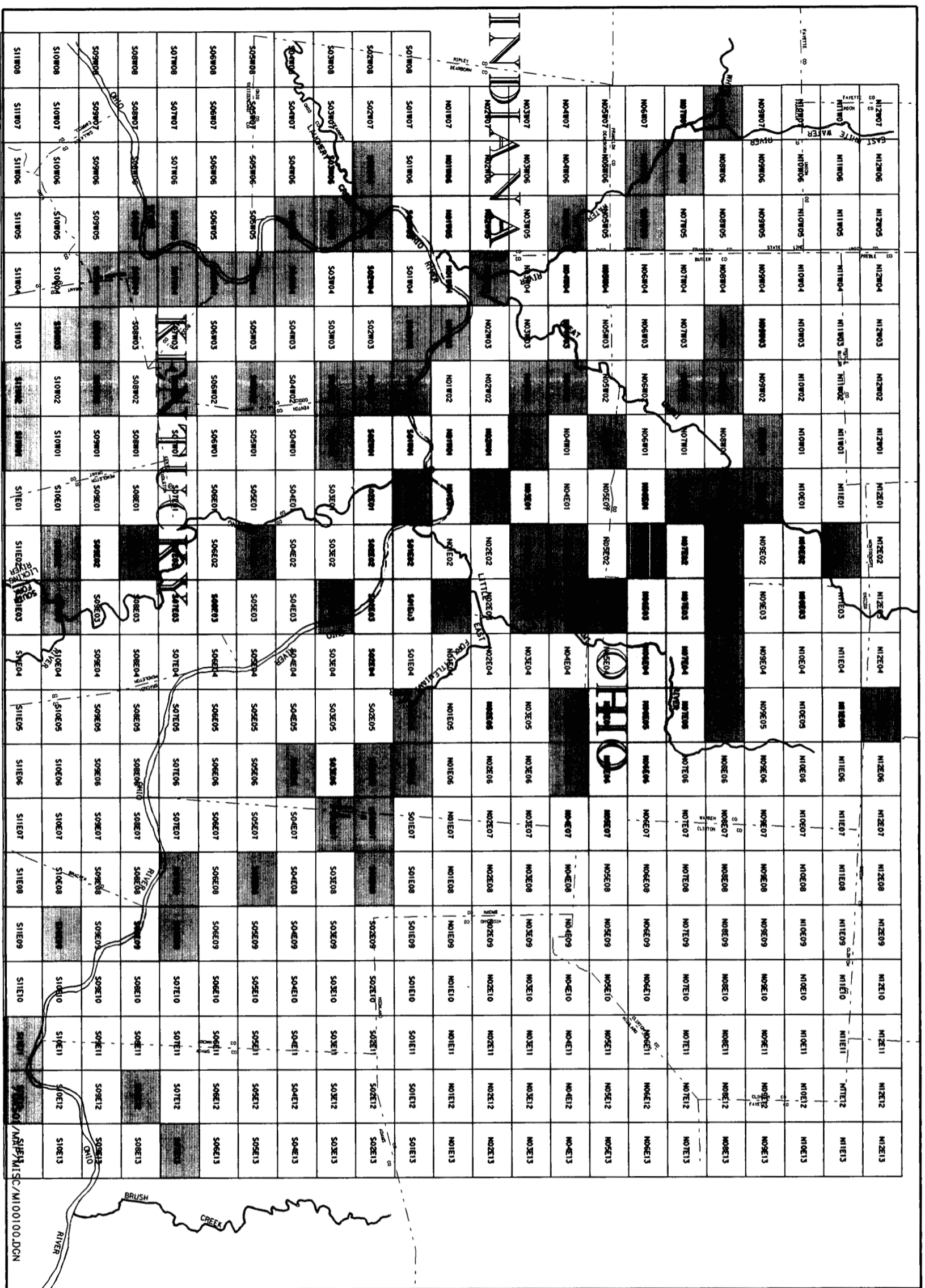
THE UNION LIGHT, HEAT AND POWER COMPANY

Responses to Order Issued by the
Kentucky Public Service Commission in
Case No. 99-240

1. Provide ULH&P's proposed plan for inspecting the operability of curb boxes and valves every three years.

RESPONSE: ULH&P conducts its distribution leak survey program on a three year cycle. ULH&P proposes to inspect curb box and valve operability in conjunction with its leak survey program. (See attached map) ULH&P believes that elimination of the annual curb box inspection; performance of a curb box and valve operability check every three years in conjunction with the leak survey will provide a more efficient means of accomplishing the Commission's regulatory objectives.

Witness responsible: **Trannis Morgan**



3 YEAR LEAK SURVEY



1997



1998

1999

2. Under ULH&P's proposed plan for inspecting the operability of curb boxes and valves, will a customer's gas service be interrupted when the operability inspection is conducted?

RESPONSE: No, the customer's gas service will not be interrupted.

Witness responsible: **Ken Dierker**

3. Provide a color-coded map that shows how inspections for regulators, vents, and relief valves will be conducted on a geographical basis. This map shall state the year during which inspections in each geographical area will be conducted and the number of residential customers currently served in each area.

RESPONSE: Please see the attached.

Witness responsible: Ed Grothaus

cut line

Case No. 99-240
 1st + P Response to Item 3
 page 2 of 2

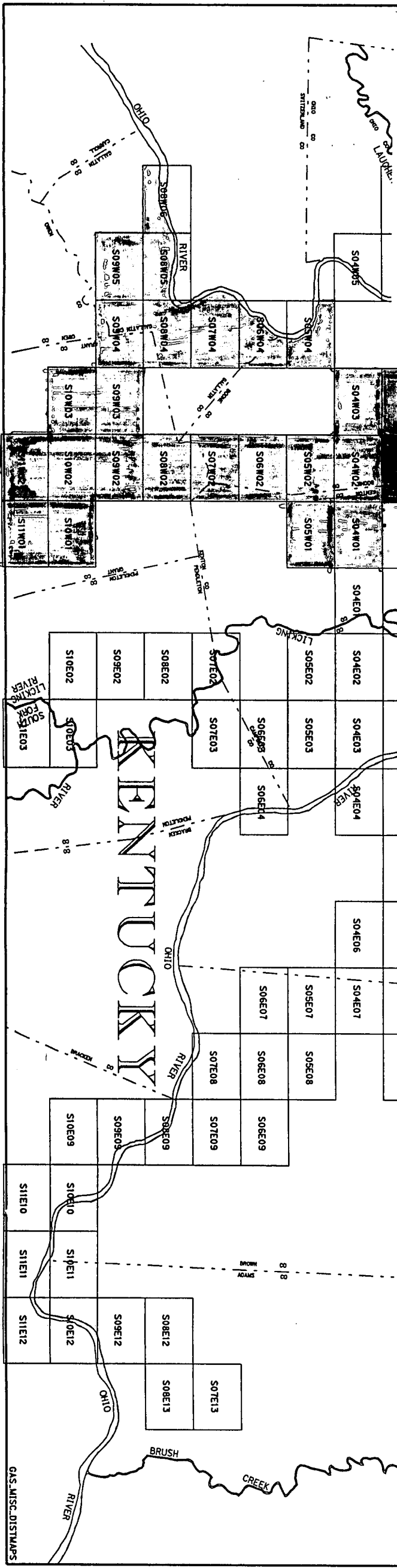
INDIANA

**KENTUCKY 10 YEAR
 REGULATOR, VENT &
 RELIEF VALVE INSPECTION**

PROGRAM YEAR	RESIDENTIAL CUSTOMERS
1	10199
2	9387
3	9131
4	7977
5	7674
6	7308
7	6888
8	6014
9	5801
10	4843
TOTAL	75222

NO1W03	NO1W02	NO1W01	NO1E01	NO1E02	NO1E03	NO1E04	NO1E05
NO2W03	NO2W02	NO2W01	NO2E01	NO2E02	NO2E03	NO2E04	NO2E05
NO3W03	NO3W02	NO3W01	NO3E01	NO3E02	NO3E03	NO3E04	NO3E05
NO4W03	NO4W02	NO4W01	NO4E01	NO4E02	NO4E03	NO4E04	NO4E05
NO5W03	NO5W02	NO5W01	NO5E01	NO5E02	NO5E03	NO5E04	NO5E05
NO6W03	NO6W02	NO6W01	NO6E01	NO6E02	NO6E03	NO6E04	NO6E05
NO7W03	NO7W02	NO7W01	NO7E01	NO7E02	NO7E03	NO7E04	NO7E05
NO8W03	NO8W02	NO8W01	NO8E01	NO8E02	NO8E03	NO8E04	NO8E05
NO9W03	NO9W02	NO9W01	NO9E01	NO9E02	NO9E03	NO9E04	NO9E05
NO10W03	NO10W02	NO10W01	NO10E01	NO10E02	NO10E03	NO10E04	NO10E05

SO1W03	SO1W02	SO1W01	SO1E01	SO1E02	SO1E03	SO1E04	SO1E05
SO2W03	SO2W02	SO2W01	SO2E01	SO2E02	SO2E03	SO2E04	SO2E05
SO3W03	SO3W02	SO3W01	SO3E01	SO3E02	SO3E03	SO3E04	SO3E05
SO4W03	SO4W02	SO4W01	SO4E01	SO4E02	SO4E03	SO4E04	SO4E05
SO5W03	SO5W02	SO5W01	SO5E01	SO5E02	SO5E03	SO5E04	SO5E05
SO6W03	SO6W02	SO6W01	SO6E01	SO6E02	SO6E03	SO6E04	SO6E05
SO7W03	SO7W02	SO7W01	SO7E01	SO7E02	SO7E03	SO7E04	SO7E05
SO8W03	SO8W02	SO8W01	SO8E01	SO8E02	SO8E03	SO8E04	SO8E05
SO9W03	SO9W02	SO9W01	SO9E01	SO9E02	SO9E03	SO9E04	SO9E05
SO10W03	SO10W02	SO10W01	SO10E01	SO10E02	SO10E03	SO10E04	SO10E05



PROJECT AREA
 THE CINCINNATI GAS & ELECTRIC CO.
 THE UNION LIGHT HEAT & POWER CO.
 LAWRENCEBURG GAS CO.
 REVISION 09-02-97

- SCALE IN MILES
- AREA MAP
- LEGEND
- MOREPORT HEIGHTS
 - DANA AVENUE
 - GLEN DALE
 - MIDDLETOWN
 - LITTLE MIAMI
 - EASTWORKS
 - LAWRENCEBURG
 - 19TH AND AUGUSTINE
 - FLORENCE
 - COLD SPRINGS
 - GEORGETOWN

4. Provide for each of the last three calendar years the results of ULH&P's inspections for the accessibility of curb boxes and valves. For each calendar year, state the number of curb boxes that ULH&P found during those inspections to be inaccessible.

RESPONSE:

Year	Number Inspected	Number Inaccessible
1997	67,864	351
1998	68,274	237
1999	69,617	144 *

*through 8/13/99; program 72% complete

Witness responsible: Ken Dierker

5. a. How many of ULH&P's curb boxes have outside meter sets?

RESPONSE: Approximately 35,000 curb boxes have outside meter sets.

Witness responsible: **Trannis Morgan**

5. b. How many of ULH&P's curb boxes have inside meter sets?

RESPONSE: Approximately 34,000 curb boxes have inside meter sets.

Witness responsible: Trannis Morgan

6. Do all ULH&P service tees incorporate positive shut-off valves? Explain.

RESPONSE: No. Approximately one-third of services has positive shut-off tees. Some examples of services that do not have positive shut-off tapping tees would be those services tapped off of cast iron mains, or joint trench services (common trench with other utilities) where the tapping tee is located on the cross-over main.

Witness responsible: **Trannis Morgan**

7. a. How many ULH&P service tee shut-off valves are readily accessible with ordinary available tools and not located under hard service (sic)?

RESPONSE: Information is not available on the type of surface the service tee is located under. All service tee shut-off valves are readily accessible with ordinary tools available on construction & maintenance vehicles. At the time of gas service installation, Gas Standard 3.7.1 is followed in order to meet 807 KAR 5:022 Section 9(17) code requirement to determine if a curb valve is required.

Witness responsible: Ken Dierker / Trannis Morgan

7. b. How many ULH&P service tee shut-off valves are located under pavements or hard service (sic)?

RESPONSE: See 7(a) above.

7. c. Provide the inspection reports upon which the responses to Items 7(a) and 7(b) are based.

RESPONSE: See 7(a) above.

8. NO QUESTION NUMBERED 8 LISTED IN ORIGINAL ORDER

9. a. What are the annual savings that ULH&P expects to achieve if the Commission grants the requested deviations?

RESPONSE: A tangible dollar amount cannot be determined. However, performing the customer regulator, vent or relief valve inspection on a geographic basis vs. our current process of unpatterned / indiscriminate locations based on last inspection date only, will allow a cost savings in scheduling entire areas at one time instead of potentially visiting the same street, but a different house each year, causing an unsatisfactory utilization of resources. A cost savings cannot be determined for performing operability inspections every three years instead of every ten years, however an increased safety inspection cycle over the current Kentucky Administrative Code requirement outweighs any savings that could be achieved.

Witness responsible: **Trannis Morgan / Ed Grothaus**

9. b. Show all calculations and state all assumptions to derive ULH&P's estimated savings.

RESPONSE: See response to 9(a) above.

10. What is the longest period that a residential customer regulator, vent or relief valve (sic) could escape inspection as a result of ULH&P's implementation of the proposed geographical based inspections?

RESPONSE: In the past, regulator, vents and relief valves were tested in conjunction with the 10-year meter age change program on an unpatterned / indiscriminate 10-year random basis. There is no easy way to determine the last inspection date based on the map number as the attached map proposes to do on a geographic basis. The worst case scenario is that an inspection would extend to 19 years, although the likelihood is minimal due to the aggressive approach we have taken to increase the number of inspections in the first 5 years of the proposed geographic inspection cycle.

Witness responsible: Ed Grothaus



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

August 12, 1999

James B. Gainer
Legal Division
The Union Light Heat & Power Co
139 E. Fourth Street
Cincinnati, OH. 45202

Honorable John J. Finnigan
Attorney for The Union Light,
Heat and Power Company
P. O. Box 960, Rm. 25 ATII
Cincinnati, OH. 45201

RE: Case No. 99-240

We enclose one attested copy of the Commission's Order in
the above case.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell
Secretary of the Commission

SB/sa
Enclosure

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION OF THE UNION LIGHT, HEAT AND)
POWER COMPANY FOR A DEVIATION FROM) CASE NO. 99-240
ADMINISTRATIVE REGULATION 807 KAR 5:006,)
SECTIONS 25(5)(a)(1) AND (a)(2))

ORDER

IT IS ORDERED that The Union Light, Heat and Power Company ("ULH&P") shall file the original and 6 copies of the following information with the Commission within 20 days of this Order, with a copy to all parties of record. Each copy of the information requested should be placed in a bound volume with each item tabbed. When a number of sheets are required for an item, each sheet should be appropriately indexed, for example, Item 1(a), Sheet 2 of 6. Include with each response the name of the witness who will be responsible for responding to questions relating to the information provided. Careful attention should be given to copied material to ensure its legibility. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this Order.

1. Provide ULH&P's proposed plan for inspecting the operability of curb boxes and valves every three years.
2. Under ULH&P's proposed plan for inspecting the operability of curb boxes and valves, will a customer's gas service be interrupted when the operability inspection is conducted?

3. Provide a color-coded map that shows how inspections for regulators, vents, and relief valves will be conducted on a geographical basis. This map shall state the year during which inspections in each geographical area will be conducted and the number of residential customers currently served in each area.

4. Provide for each of the last three calendar years the results of ULH&P's inspections for the accessibility of curb boxes and valves. For each calendar year, state the number of curb boxes that ULH&P found during those inspections to be inaccessible.

5. a. How many of ULH&P's curb boxes have outside meter sets?

b. How many of ULH&P's curb boxes have inside meter sets?

6. Do all ULH&P service tees incorporate positive shut-off valves? Explain.

7. a. How many ULH&P service tee shut-off valves are readily accessible with ordinary available tools and not located under hard service?

b. How many ULH&P service tee shut-off valves are located under pavements or hard service?

c. Provide the inspection reports upon which the responses to Items 7(a) and 7(b) are based.

9. a. What are the annual savings that ULH&P expects to achieve if the Commission grants the requested deviations?

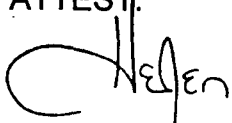
b. Show all calculations and state all assumptions to derive ULH&P's estimated savings.

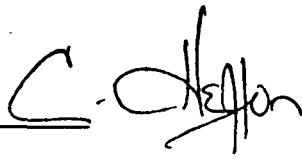
10. What is the longest period that a residential customer regulator, vent or relief valve could escape inspection as a result of ULH&P's implementation of the proposed geographical based inspections?

Done at Frankfort, Kentucky, this 12th day of August, 1999.

By the Commission

ATTEST:


Executive Director





COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

June 16, 1999

James B. Gainer
Legal Division
The Union Light Heat & Power Co
139 E. Fourth Street
Cincinnati, OH. 45202

Honorable John J. Finnigan
Attorney for The Union Light,
Heat and Power Company
P. O. Box 960, Rm. 25 ATII
Cincinnati, OH. 45201

RE: Case No. 99-240
THE UNION LIGHT, HEAT AND POWER COMPANY
(Deviation) GAS UTILITY INSPECTION

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received June 14, 1999 and has been assigned Case No. 99-240. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,
Stephanie Bell

Stephanie Bell
Secretary of the Commission

SB/jc

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Cincinnati, OH 45201-0960
Tel 513.287.3601
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jfinnigan@cinergy.com

JOHN J. FINNIGAN, JR.
Senior Counsel

June 11, 1999

Hon. Helen Helton
Executive Director
Public Service Commission
of Kentucky
730 Schenkel Lane
P. O. Box 615
Frankfort, Kentucky 40602

CINERGY.

RECEIVED
JUN 14 1999
PUBLIC SERVICE
COMMISSION

CASE 99-240

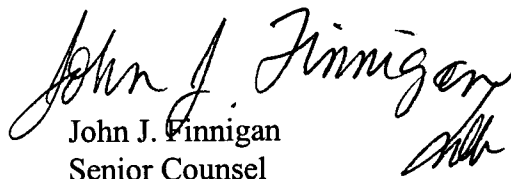
Re: Petition of the Union Light, Heat and Power Company for Waiver

Dear Executive Director Helton:

Enclosed for filing is an original and 15 copies of The Union Light, Heat and Power Company's Petition for Waiver from the requirements of 807 KAR 5:006 Sections 25(5)(a)(1) and (2). We are also sending extra copies to be date-stamped and returned to us in the enclosed self-addressed envelope. ✓
JFF

If you have any questions, please feel free to call me at (513) 287-3601.

Very truly yours,


John J. Finnigan
Senior Counsel

Enclosures

**COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY PUBLIC SERVICE COMMISSION**

In the Matter of:

PETITION OF THE UNION LIGHT,)
HEAT AND POWER COMPANY FOR)
WAIVER

CASE NO.

99-240

RECEIVED
JUN 14 1999
PUBLIC SERVICE
COMMISSION

PETITION FOR WAIVER

Now comes The Union Light, Heat and Power Company ("ULH&P"), by and through counsel, petitioning the Commission for a waiver from the requirements of 807 Kentucky Administrative Regulations 5:006 Sections 25(5)(a)(1) and (2), and any similar regulatory provisions which prescribe maximum time intervals for certain gas utility inspections. Although these regulatory provisions provide a definite time interval for inspection procedures designed to ensure safe and adequate operation of equipment, they also restrict the ability to carry out such inspections in the most efficient and cost-effective manner.

Specifically, Section 25(5)(a)(1)(c) requires utilities to inspect the accessibility of the curb box and valve on a service line every fifteen months (but at least once every calendar year). In addition, Section 25(5)(a)(2)(c) requires operational checks of the curb box and valve on the service line at intervals not to exceed the periodic meter test intervals. ULH&P requests authority to eliminate the annual curb box and valve accessibility inspection because curb box and valve operational checks assure curb valve accessibility. Thus, accessibility, by default, would continue to be monitored on a schedule concurrent with operational inspections of the curb box and valve. ULH&P currently conducts operability checks once every ten years. In order to accommodate

the more restrictive time intervals recommended for accessibility checks, ULH&P proposes inspection of curb box and valve operability every three years in conjunction with its leak survey¹. This will provide a more efficient approach to the required inspections while also increasing the inspection frequency beyond those required by the Kentucky Administrative Regulations.

In addition, ULH&P currently performs a ten-year residential customer service regulator, vent and relief valve vent inspection in accordance with Section 25(5)(a)(2)(b). Such inspections, performed in conjunction with the meter age-change program, fail to provide an efficient and cost-effective means of accomplishing the Commission's regulatory objectives. Accordingly, ULH&P desires to perform this inspection geographically. Carrying out inspections on a geographically defined basis allows more efficient utilization of the labor force and a more cost-effective means of achieving regulatory objectives. Importantly, ULH&P plans to continue inspecting residential customer regulators, vents and relief valves on a ten-year cycle. However, during the initial change to inspection on a geographic basis, some regulator, valve and relief valve inspections could exceed the ten-year requirement. Accordingly, ULH&P requests the Commission to grant some latitude in the ten-year regulatory time interval requirement to allow ULH&P to establish and implement its geographical inspection approach.

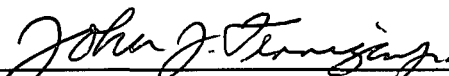
For all of the foregoing reasons, ULH&P believes that elimination of the annual curb box inspection; performance of a curb box and valve operability check every three years in conjunction with the leak survey; and performance of a geographically oriented

¹ Business district and transmission line surveys are conducted annually.

ten-year customer service regulator, vent and relief valve vent check will provide a more efficient and cost-effective means of accomplishing the Commission's regulatory objectives. ULH&P further believes the proposed inspections will continue to assure the safe and adequate operation of its equipment. Accordingly, UHL&P requests the Commission to timely approve its request to waive the requirements of 807 KAR 5:006 Sections 25(5)(a)(1) and (2), and any other regulations restricting the time intervals for gas utility inspection.

Respectfully submitted,

THE UNION LIGHT, HEAT
AND POWER COMPANY

By: 
John J. Finnigan, Esq. (86657)
The Union Light, Heat and Power
Company
P. O. Box 960, Rm. 25 ATII
Cincinnati, Ohio 45201
Attorney for The Union Light, Heat
and Power Company