

COMMONWEALTH OF KENTUCKY
BEFORE THE ENERGY REGULATORY COMMISSION

In the Matter of:

APPLICATION OF MR. GROVER NEWBERRY,)
VAN LEAR, KENTUCKY, TO DEVIATE)
FROM COMMISSION REGULATION 807 KAR) CASE NO. 7955
50:045 SECTION 6, SUBPART 6)

O R D E R

On September 4, 1980, Mr. Grover Newberry, Van Lear, Kentucky, filed a letter with the Commission requesting authority to use 1-1/4 inch plastic pipe in the construction of a service line to his property from a line of the Kentucky West Virginia Gas Company.

The Commission decided to treat this letter as an application requesting authority to deviate from the provisions of Commission Regulation 807 KAR 50:045 Section 6, Subpart 6.

A member of the Commission staff inspected the proposed location of the service line and found that it would be possible to bury the line to a sufficient depth to prevent damage to same by various digging activities and recommended the granting of the requested authority.

The Commission, having considered the application, all evidence of record and being fully advised, is of the opinion and FINDS:

1. That a hearing to consider the merits of the application will not be necessary.

2. That Mr. Newberry should be granted permission to use 1-1/4 inch plastic pipe in lieu of black steel pipe provided the pipe is of an approved type and the entire service line is plastic and is buried a minimum of 36 inches; and provided that the steel pipe encasement of the plastic be properly installed at the creek crossing, and that the steel pipe encasement of the plastic be properly installed at the road crossing.

3. That the completed service line installation shall be inspected by Commission staff members prior to the filling of the ditch.

4. That Mr. Newberry shall notify the Commission when construction is sufficiently completed to allow for the above inspection.

5. That the plastic pipe be installed by persons who qualify under O.P.S.O. requirements.

6. That this service line be used only to serve one (1) dwelling as required by state law.

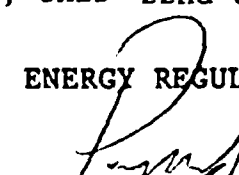
7. That Mr. Newberry shall meet all other requirements of Energy Regulatory Commission Regulation 807 KAR 50:045 Section 6 in his installations.

IT IS THEREFORE ORDERED that Mr. Grover Newberry, Van Lear, Kentucky, be and he hereby is granted authority to deviate from Energy Regulatory Commission Regulation 807 KAR 50:045 Section 6, Subpart 6 and install 1-1/4 inch plastic pipe of an approved type for his service line, said pipe to be buried a minimum of 36 inches, with the creek crossing and the road crossing installed with the proper steel encasement of the plastic pipe.

IT IS FURTHER ORDERED that Mr. Newberry notify the Commission when construction is sufficiently completed to allow for the inspection and approval of the line by the Division of Utility Engineering and Services of the Energy Regulatory Commission before service is rendered.

Done at Frankfort, Kentucky, this 22nd day of September, 1980.

ENERGY REGULATORY COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary