



To: Secretary Kathleen H. Burgess  
NYS Public Service Commission

From: Brad Gill, Executive Director

Re: Case 17-G-0424

Date: April 2, 2018

– Submitted via email to [secretary@dps.ny.gov](mailto:secretary@dps.ny.gov) –

The following comments highlight areas of concern shared by members of IOGANY, as well as others within the oil and gas community. They represent some, but certainly not all, issues raised by oil and gas representatives at the various collaborative sessions held by the PSC and in private discussions and are meant only to be a brief summary. Thank you for your anticipated consideration of these comments.

1. Odorization; Natural gas can be detected without odorization in certain quantities. Mercaptan presents numerous challenges and often odorizing a portion of a line can lead to over-odorizing the line downstream. The PSC says gas must be “recognizable” but no good alternatives to Mercaptan have been identified. More discussion is needed to determine an acceptable and reasonable method of gas odorizing and detection.
2. Production facility: The term “Production Facility” is not adequately defined and should include specific criteria for what qualifies as such.
3. Definition of “gathering line” vs “service line” should be clarified for regulation purposes, recognizing ownership and responsibility/liability differences between the pipeline operator and a landowner/homeowner.
4. Further clarification and a clear distinction is needed regarding regulation of gas, oil, and water lines with any exemptions being clearly identified.

5. Additional clarification is needed regarding acceptable leak survey and detection methods and approved equipment. Pressure testing, in many cases, proves superior to other methods of leak detection and should be an approved method for identifying leaks- at least initially. Then, other approved methods could be utilized after a section of line has been determined to have a leak. This will save cost and time for operators and still be an effective safety measure.
6. A distinction should be made between rights-of-way and eminent domain regarding the private contracts that exist between operators and landowners.
7. The PSC should recognize and consider the differences between utilities and non-utility operators of natural gas pipelines with respect to recoupment of costs incurred because of imposed regulations. This distinction should also be in 5(1)(b) where definitions are made regarding gas plants and gas corporations.
8. The regulation should make clear who can be considered a “qualified welder and plastic joiner”. If this can be an employee who is properly trained, it should include that distinction.